JOURNAL
OF THE
HOUSE

2015 SESSION

SPECIAL SESSION
OF
NOVEMBER 2015

NEW HAMPSHIRE GENERAL COURT

JOURNAL
of the
HOUSE OF REPRESENTATIVES

Containing the 2015 Session
December 3, 2014
through
September 16, 2015

and

the Special Session of
November 18, 2015

SHAWN N. JASPER
SPEAKER

PAUL C. SMITH
CLERK

WALTER SWORD
SERGEANT-AT-ARMS

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HOUSE JOURNAL No. 1

Wednesday, December 3, 2014

On the first Wednesday in December in the year of our Lord, two thousand fourteen, it being the day designated by the Constitution for assembling for organizational purposes, the one hundred and sixty-fourth General Court of the State of New Hampshire convened at the Capitol in the City of Concord. The Representatives-elect were called to order by Karen Wadsworth, Clerk of the House for the preceding session.

Prayer was offered by Kate Atkinson, Rector of St. Paul's Episcopal Church in Concord.
O God, the Alpha and the Omega, God of beginnings and endings, we place in Your hands the events of this day, in this House. We give You thanks for those people whose terms of service have come to an end, and for those whose terms are just beginning. As plans are put in motion, and projects are completed, we pray for the wisdom that results in good decisions. Please bless this gathering with listening ears, clarity of thought, and a deep respect for the people they serve throughout the State of New Hampshire. We pray in gratitude for the gift of leadership. Amen.

Representative-elect Travis Bennett, member from Plymouth, led the Pledge of Allegiance.

Katie Rozmuck of Salem, daughter of Representative-elect John Manning sang the National Anthem.

CALL OF THE ROLL

BELKNAP COUNTY

Dist. No. 1 (1)	Valerie Fraser, r
Dist. No. 2 (4)	Glen Aldrich, r; Russell Dumais, r; George Hurt, r; Herbert R. Vadney, r
Dist. No. 3 (4)	Donald H. Flanders, r; Robert A. Luther, r; Peter Spanos, r; Franklin T. Tilton, r
Dist. No. 4 (2)	Dennis H. Fields, r; Brian Gallagher, r
Dist. No. 5 (2)	David Russell, r; Peter Varney, r
Dist. No. 6 (2)	Shari LeBreche, r; Michael J. Sylvia, r
Dist. No. 7 (1)	Guy Comtois, r
Dist. No. 8 (1)	Howard Raymond, r
Dist. No. 9 (1)	Robert Fisher, r

CARROLL COUNTY

Dist. No. 1 (1)	Gene G. Chandler, r
Dist. No. 2 (3)	Thomas L. Buco, d; Frank McCarthy, r; Karen C. Umberger, r
Dist. No. 3 (2)	Mark E. McConkey, r; Susan J. Ticehurst, d
Dist. No. 4 (2)	Glenn Cordelli, r; Karel A. Crawford, r
Dist. No. 5 (3)	Lino Avellani, r; Ed Comeau, r; Bill G. Nelson, r
Dist. No. 6 (2)	Harold Parker, r; Stephen J. Schmidt, r
Dist. No. 7 (1)	Edward A. Butler, d
Dist. No. 8 (1)	Ted S. Wright, r

CHESHIRE COUNTY

Dist. No. 1 (4)	Michael Abbott, d; Paul S. Berch, d; Tara A. Sad, d; Lucy M. Weber, d
Dist. No. 2 (1)	John E. Mann, d
Dist. No. 3 (1)	Daniel A. Eaton, d
Dist. No. 4 (1)	William Pearson, d
Dist. No. 5 (1)	John Bordenet, d
Dist. No. 6 (1)	Timothy N. Robertson, d
Dist. No. 7 (1)	Gladys Johnsen, d
Dist. No. 8 (1)	Cynthia L. Chase, d
Dist. No. 9 (2)	Richard Ames, d; Douglas A. Ley, d
Dist. No. 10 (1)	Marjorie J. Shepardson, d
Dist. No. 11 (2)	Susan Emerson, r; John B. Hunt, r
Dist. No. 12 (2)	Jim McConnell, r; Ben Tilton, d
Dist. No. 13 (1)	Henry A. L. Parkhurst, d

Dist. No. 14 (1) Franklin Sterling, r
Dist. No. 15 (1) Bruce L. Tatro, d
Dist. No. 16 (2) Larry Phillips, d; Kris Roberts, d

COOS COUNTY

Dist. No. 1 (2) John Fothergill, r; Laurence M. Rappaport, r
Dist. No. 2 (1) Wayne T. Moynihan, d
Dist. No. 3 (3) Alethea Lincoln Froburg, d; Robert L. Theberge, d; Yvonne D. Thomas, d
Dist. No. 4 (1) Herbert D. Richardson, r
Dist. No. 5 (1) John Tholl, r
Dist. No. 6 (1) William A. Hatch, d
Dist. No. 7 (1) Leon H. Rideout, r

GRAFTON COUNTY

Dist. No. 1 (2) Erin T. Hennessey, r; Linda Massimilla, d
Dist. No. 2 (1) Rebecca A. Brown, d
Dist. No. 3 (1) Susan M. Ford, d
Dist. No. 4 (1) Rick M. Ladd, r
Dist. No. 5 (1) Edmond D. Gionet, r
Dist. No. 6 (1) Kevin Maes, d
Dist. No. 7 (1) Eric Johnson, r
Dist. No. 8 (3) Travis Bennett, d; Mary R. Cooney, d; Suzanne J. Smith, d
Dist. No. 9 (2) Robert Hull, r; Jeffrey S. Shackett, r
Dist. No. 10 (1) Wendy A. Piper, d
Dist. No. 11 (1) Charles L. Townsend, d
Dist. No. 12 (4) Chris Brown, d; Martha Hennessey, d; Patricia C. Higgins, d; Sharon Nordgren, d
Dist. No. 13 (4) Richard Abel, d; Susan W. Almy, d; George E. Sykes, d; Andrew A. White, d
Dist. No. 14 (1) Brad Bailey, r;
Dist. No. 15 (1) Paul Ingbretson, r
Dist. No. 16 (1) Duane Brown, r
Dist. No. 17 (1) Stephen Darrow, r

HILLSBOROUGH COUNTY

Dist. No. 1 (2) Marjorie A. Porter, d; Gilman C. Shattuck, d
Dist. No. 2 (3) Daniel A. Donovan, r; Neal M. Kurk, r
Dist. No. 3 (1) Jonathan F. Manley, d
Dist. No. 4 (2) Carol Roberts, d; Kermit R. Williams, d
Dist. No. 5 (2) William L. O'Brien, r; David Woodbury, d
Dist. No. 6 (5) Rick Christie, r; Barbara Griffin, r; David Pierce, r; Claire Rouillard, r; Nick Zaricki, r
Dist. No. 7 (6) David J. Danielson, r; Bart Fromuth, r; Linda Gould, r; Keith Murphy, r; Ken Peterson, r; Terry Wolf, r
Dist. No. 8 (2) Jeffrey P. Goley, d; Joseph Lachance, r
Dist. No. 9 (2) Linda A. DiSilvestro, d; William J. O'Neil, d
Dist. No. 10 (2) Jean L. Jeudy, d; Patrick T. Long, d
Dist. No. 11 (2) Elizabeth Edwards, d; Robert M. Walsh, d
Dist. No. 12 (2) Amanda Bouldin, d
Dist. No. 13 (2) Larry G. Gagne, r; William J. Infantine, r
Dist. No. 14 (2) Mary Freitas, d; Mary Heath, d
Dist. No. 15 (2) Thomas Katsiantonis, d; Mark McLean, r
Dist. No. 16 (2) Barbara E. Shaw, d; Victoria Sullivan, r
Dist. No. 17 (2) Tammy Simmons, r; Timothy J. Smith, d
Dist. No. 18 (2) Patricia Cornell, d; Armand Forest, d
Dist. No. 19 (2) Robert A. Backus, d; Dick A. Marston, r
Dist. No. 20 (2) Ralph G. Boehm, r; Frank A. Byron, r
Dist. No. 21 (8) John Balcom, r; Chris Christensen, r; Richard W. Hinch, r; Josh Moore, r; Jeanine M. Notter, r; Tony J. Pellegrino, r; Phillip N. Straight, r

Dist. No. 22 (3)	Peter T. Hansen, r; Robert H. Rowe, r; Stephen B. Stepanek, r
Dist. No. 23 (4)	Barbara Biggie, r; Bill Goulette, r; Carolyn Halstead, r; Shawn P. Sweeney, r
Dist. No. 24 (2)	Peter R. Leishman, d; Ivy Vann, d
Dist. No. 25 (2)	James E. Coffey, r; James A. Parison, r
Dist. No. 26 (2)	Jack B. Flanagan, r
Dist. No. 27 (2)	James P. Belanger, r; Carolyn M. Gargasz, r
Dist. No. 28 (3)	Eric Eastman, r; Elizabeth Ferreira, r; Carl Seidel, r
Dist. No. 29 (3)	Suzanne Harvey, d; Peggy McCarthy, r; Donald B. McClarren, r
Dist. No. 30 (3)	Alan Cohen, d; Cindy Rosenwald, d; Lisa Scontsas, r
Dist. No. 31 (3)	Pamela T. Brown, d; David E. Cote, d; Mary J. Gorman, d
Dist. No. 32 (3)	Donald L. LeBrun, r; David K. Murotake, r; Barry Palmer, r
Dist. No. 33 (3)	Efstathia C. Booras, d; Kenneth N. Gidge, d; Lee Guerette, d
Dist. No. 34 (3)	Edith Hogan, r; Timothy A. Soucy, d; Timothy L. Twombly, r
Dist. No. 35 (3)	Daniel C. Hansberry, d; Latha Mangipudi, d; Peter Silva, r
Dist. No. 36 (3)	Martin L. Jack, d; Michael B. O'Brien, d; Bill Ohm, r
Dist. No. 37 (11)	Lars T. Christiansen, r; Eric Estevez, r; Robert H. Haefner, r; Shawn N. Jasper, r; Lynne M. Ober, r; Russell T. Ober, r; Kimberly Rice, r; Eric Schleien, r; Gregory Smith, r; Charlene F. Takesian, r; Jordan G. Ulery, r
Dist. No. 38 (2)	Frank Edelblut, r; Richard D. McNamara, d
Dist. No. 39 (1)	John A. Burt, r
Dist. No. 40 (1)	Keith Ammon, r
Dist. No. 41 (1)	Laurie J. Sanborn, r
Dist. No. 42 (2)	Kendall Snow, d; Daniel J. Sullivan, d
Dist. No. 43 (3)	Benjamin Baroody, d; Christopher Herbert, d; Kathleen F. Souza, r
Dist. No. 44 (2)	Andre A. Martel, r; Mark Proulx, r
Dist. No. 45 (2)	Jane E. Beaulieu, d; Carlos Gonzalez, r

MERRIMACK COUNTY

Dist. No. 1 (1)	Mario F. Ratzki, d
Dist. No. 2 (2)	Harold French, r; Werner Horn, r
Dist. No. 3 (2)	Gregory Hill, r; Deborah Wheeler, d
Dist. No. 4 (1)	Douglas Long, r
Dist. No. 5 (2)	Karen E. Ebel, d&r; David H. Kidder, r&d
Dist. No. 6 (2)	Barbara C. French, d; Geoffrey D. Hirsch, d
Dist. No. 7 (1)	Clyde J. Carson, d
Dist. No. 8 (1)	Caroletta C. Alicea, d
Dist. No. 9 (2)	Howard M. Moffett, d; George Saunderson, d
Dist. No. 10 (3)	David Luneau, i; Mel Myler, d; Mary Jane Wallner, d
Dist. No. 11 (1)	Stephen J. Shurtleff, d
Dist. No. 12 (1)	Paul J. Henle, d
Dist. No. 13 (1)	June M. Frazer, d
Dist. No. 14 (1)	James R. MacKay, d
Dist. No. 15 (1)	Linda Kenison, d
Dist. No. 16 (1)	Helen Deloge, d
Dist. No. 17 (1)	Dick W. Patten, d
Dist. No. 18 (1)	Paula Bradley, d
Dist. No. 19 (1)	Christy D. Bartlett, d
Dist. No. 20 (3)	David Doherty, d; Dianne E. Schuett, d; Brian Seaworth, r
Dist. No. 21 (2)	Michael Brewster, r
Dist. No. 22 (1)	Alan J. Turcotte, d
Dist. No. 23 (3)	J. R. Hoell, r; Bill Kuch, r; John Martin, r;
Dist. No. 24 (4)	David W. Hess, r; Frank R. Kotowski, r; Dick Marple, r; Thomas C. Walsh, r
Dist. No. 25 (1)	David B. Karrick, d
Dist. No. 26 (1)	
Dist. No. 27 (2)	Mary Stuart Gile, d; Chip L. Rice, d
Dist. No. 28 (1)	Katherine D. Rogers, d
Dist. No. 29 (1)	Carol M. McGuire, r

ROCKINGHAM COUNTY

Dist. No. 1 (1)	Bruce E. Hodgdon, r
Dist. No. 2 (3)	Joe Duarte, r; James Spillane, r; Kyle J. Tasker, r
Dist. No. 3 (3)	Kathleen M. Hoelzel, r; Lawrence M. Kappler, r; Carolyn Matthews, r
Dist. No. 4 (5)	James E. Devine, r; William Gannon, r; Joseph M. Hagan, r; Jason Osborne, r; Chris True, r
Dist. No. 5 (7)	Alfred P. Baldasaro, r; Robert E. Introne, r; David C. Lundgren, r; Betsy McKinney, r; Sherman A. Packard, r; Daniel J. Tamburello, r; Doug Thomas, r
Dist. No. 6 (10)	Thomas Cardon, r; Brian K. Chirichiello, r; Beverly A. Ferrante, r; Robert M. Fesh, r; Phyllis Katsakiores, r; David E. Milz, r; John T. O'Connor, r; John Potucek, r; Katherine Prudhomme-O'Brien, r; James C. Webb, r
Dist. No. 7 (4)	David Bates, r; Mary E. Griffin, r; Walter Kolodziej, r; Charles E. McMahon, r
Dist. No. 8 (9)	Gary S. Azarian, r; Arthur Barnes, r; Ronald J. Belanger, r; Fred Doucette, r; Robert J. Elliott, r; John Manning, r; Anne K. Priestley, r; Joe Sweeney, r; John Sytek, r
Dist. No. 9 (2)	Jeffrey F. Harris, r; Michael Vose, r
Dist. No. 10 (1)	Daniel C. Itse, r
Dist. No. 11 (1)	Allen Cook, r
Dist. No. 12 (1)	Elisabeth N. Sanders, r
Dist. No. 13 (4)	Joe Guthrie, r; Ann Howe, r; David Welch, r; Kenneth L. Weyler, r
Dist. No. 14 (4)	Debra L. DeSimone, r; William G. Friel, r; Shem Kellogg, r; Norman L. Major, r
Dist. No. 15 (1)	Mary M. Allen, r
Dist. No. 16 (1)	Robert L. Nigrello, r
Dist. No. 17 (3)	Michael D. Cahill, d; Marcia G. Moody, d; Adam R. Schroadter, r
Dist. No. 18 (4)	Skip Berrien, d; Paula Francese, d; Frank H. Heffron, d; Alexis Simpson, d
Dist. No. 19 (2)	Patrick F. Abrami, r; Joanne Ward, r
Dist. No. 20 (3)	Max Abramson, r; Francis Chase, r; Dennis Sweeney, r
Dist. No. 21 (4)	Robert R. Cushing, d, J. Tracy Emerick, r; Frederick C. Rice, r; David Wood, r
Dist. No. 22 (1)	Michele S. Peckham, r
Dist. No. 23 (1)	Pamela Z. Tucker, r
Dist. No. 24 (2)	David A. Borden, d; Thomas M. Sherman, d
Dist. No. 25 (1)	Laura C. Pantelakos, d
Dist. No. 26 (1)	Rebecca McBeath, d
Dist. No. 27 (1)	Debbie DiFranco, d
Dist. No. 28 (1)	Gerald W. R. Ward, d
Dist. No. 29 (1)	Pamela Gordon, d
Dist. No. 30 (1)	Jacqueline A. Cali-Pitts, d
Dist. No. 31 (1)	Carol Bush, r
Dist. No. 32 (1)	Brian Dobson, r
Dist. No. 33 (1)	Steven Woitkun, r
Dist. No. 34 (1)	Jeffrey D. Oligny, r
Dist. No. 35 (1)	Richard E. Gordon, r
Dist. No. 36 (1)	Patricia T. Lovejoy, d
Dist. No. 37 (1)	Andrew Christie, r

STRAFFORD COUNTY

Dist. No. 1 (2)	John A. Mullen, r; Robbie L. Parsons, r
Dist. No. 2 (2)	Joseph A. Pitre, r; Joshua Whitehouse, r
Dist. No. 3 (2)	David A. Bickford, r; Kurt Wuelper, r
Dist. No. 4 (2)	Jackie Cilley, d; Len Turcotte, r
Dist. No. 5 (1)	Naida L. Kaen, d
Dist. No. 6 (5)	Wayne Burton, d; Timothy O. Horrigan, d; Marjorie K. Smith, d; Judith T. Spang, d; Janet G. Wall, d&r
Dist. No. 7 (1)	Audrey M. Stevens, d

Dist. No. 8 (1) James P. Gray, r
Dist. No. 9 (1) Steven P. Beaudoin, r
Dist. No. 10 (1) Warren J. Groen, r
Dist. No. 11 (1) Susan C. DeLemus, r
Dist. No. 12 (1) Robert Knowles, r
Dist. No. 13 (1) James Verschueren, d
Dist. No. 14 (1) William S. Baber, d
Dist. No. 15 (1) Janice S. Gardner, d
Dist. No. 16 (1) Len DiSesa, d
Dist. No. 17 (3) Peter W. Bixby, d; Catherine Cheney, r; Susan Treleaven, d
Dist. No. 18 (3) Roger R. Berube, d; Deanna S. Rollo, d; Dale R. Sprague, d
Dist. No. 19 (1) Peter B. Schmidt, d
Dist. No. 20 (1) Thomas Southworth, d
Dist. No. 21 (1) Kenneth J. Ward, d
Dist. No. 22 (1) Thomas Kaczynski, r
Dist. No. 23 (1) Don Leeman, r
Dist. No. 24 (1) Laura M. Jones, r
Dist. No. 25 (1) Joe Hannon, r

SULLIVAN COUNTY

Dist. No. 1 (2) Lee Walker Oxenham, d; Andrew R. Schmidt, d
Dist. No. 2 (1) Suzanne H. Gottling, d
Dist. No. 3 (1) Andrew S. O'Hearne, d
Dist. No. 4 (1) Larry Converse, d
Dist. No. 5 (1) Raymond G. Gagnon, d
Dist. No. 6 (2) Ernest Bridge, r; Skip Rollins, r
Dist. No. 7 (1) James L. Grenier, r
Dist. No. 8 (1) Thomas W. Laware, r
Dist. No. 9 (1)
Dist. No. 10 (1) John R. Cloutier, d
Dist. No. 11 (1) Steven D. Smith, r

With 393 members-elect having answered the call of the roll, a quorum was declared present.

RESOLUTION

Representatives-elect O'Brien and Shurtleff offered the following: RESOLVED, that a committee be appointed to wait upon the Governor and the Honorable Council to inform them that a quorum of the House is assembled and requests their attendance.

Motion adopted.

The Chair appointed the following: Representatives-elect Laura Pantelakos, Mary Jane Wallner, David Cote and Gene Chandler.

INTRODUCTION OF GUESTS

Krista Crowell and Janis Kuch, daughter and wife of Representative-elect Kuch. Joel Weinrebe, guest of Representative-elect LeBreche. Robyn Goulette, wife of Representative-elect Goulette. Barbara Howard, wife of Representative-elect Howard. The Honorable Michael McCarthy, former member from Nashua, husband of Representative-elect Peggy McCarthy. Cathy Stone, Sandra and Dan Pearson, aunt, mother and father of Representative-elect Pearson. Mark Biggie, husband of Representative-elect Biggie. Carol Martin, wife of Representative-elect Martin. Deborah Maes, Ted Prizio and John Dawson, wife and guests of Representative-elect Maes. Larry and Kathleen Kellogg and Carla Mora, parents and guest of Representative-elect Kellogg. Jessica and Ellen Stepanek, Edward and Edith Kennedy, and the Honorable Phyllis Woods, former member from Dover; daughter, wife, father-in-law, mother-in-law and guest of Representative-elect Stepanek. Blake, William and Tom Simpson, sons and husband of Representative-elect Simpson. Katie, Colleen, Kerry, Billy and Janice Gannon, daughters, son and wife of Representative-elect Gannon. Claire, Luke and John Hennessey and Jan Tapper, daughter, son, husband and mother of Representative-elect Erin Hennessey. Elvire Jeudy, wife of Representative-elect Jeudy. Derek and Allen Fraser, son and hus-

band of Representative-elect Valerie Fraser. Corinne Foreman-Doherty, wife of Representative-elect Doherty. Theresa Kappler wife of Representative-elect Kappler. Pam Silva, wife of Representative-elect Silva. Roxanne, Brendan, Colleen and Juliana O'Brien, Napoleon Guardado, Roger Langevin, Juliana Bergeron, Thanya Catalan, Jennifer Horn, Bob and Sandra Kent, Corey Lewandowski, and Greg Moore, wife, son, daughter, daughter-in-law, son-in-law and guests of Representative-elect William O'Brien. Robert and Elizabeth Fisher, parents of Representative-elect Fisher. Scott and William Spillane, brother and father of Representative-elect Spillane. Kenneth Mitchell and Phyllis Richard, guest and mother of Representative-elect DeLemus. Gary Sparks and Katherine Porter, husband and daughter of Representative-elect Porter. The Honorable Lenette Peterson, former member from Merrimack, guest of Representative-elect Notter. John, Catherine and Shane Zaricki, parents and brother of Representative-elect Zaricki. The Honorable Bill O'Connor, former member from Barrington, guest of Representative-elect Tucker. Bryan Donovan and the Honorable Richard LeVasseur, former member from Hudson, guests of Representatives-elect Lynne and Russell Ober. Sheila Allen-Harris, wife of Representative-elect Harris. Elizabeth and David Thomas, wife and son of Representative-elect Doug Thomas. Charles, Louis, Kosta and Lisa Booras, Janice and Pamela Tsirigotis, Christina and Sylvia Grammas, Brenda Orde and Maria Masias, father, brother, godson, sister-in-law, daughters and guests of Representative-elect Booras. Melodye Smith and Jennifer Gosselin, guests of Representative-elect Simmons. Debbie and Charlie Schleien, parents of Representative-elect Schleien. Lois and Johnathan Bates, wife and son of Representative-elect Bates. Diann Pitre, wife of Representative-elect Pitre. Susan Taff Ervin, guest of Representative-elect Peter Schmidt. Paul Twomey, guest of Representative-elect Cushing. The Honorable Caitlin Rollo, former member from Manchester, daughter-in-law of Representative-elect Deanna Rollo. Thomas and Barbara Sweeney, parents of Representative-elect Joe Sweeney. Steve Ingbretson, brother of Representative-elect Ingbretson.

OATH OF OFFICE

Her Excellency, Governor Margaret Wood Hassan, having been informed that a quorum of the House was assembled, appeared, accompanied by the Honorable Councilors, Joseph D. Kenney, Colin Van Ostern, Christopher T. Sununu, Christopher C. Pappas and Debora B. Pignatelli. The members-elect, having presented their credentials, were duly qualified by the Governor as members of the House of Representatives by taking and subscribing the oath of office agreeable to the provisions of the Constitution of the State of New Hampshire.

The Governor and Executive Councilors retired.

ADOPTION OF PROPOSED GROUND RULES FOR ELECTION

Rep. Bates offered the following proposed Rules for Election:

ORGANIZATION DAY

New Hampshire House of Representatives

GROUND RULES FOR ELECTION

The rules of these elections shall be the rules of the 2014 New Hampshire House of Representatives, subject to the following ground rules:

Only members certified by the Secretary of State shall be eligible to participate and vote. Access to the floor shall be limited to members, and such other officers and assistants as may be required by the Clerk and Sergeant-at-Arms. The Clerk will prepare a checklist of those present and qualified to vote.

Election of candidates will be by majority vote of those present and voting. If more than two candidates are standing for an office, and if after any round of balloting no candidate receives a majority vote, the candidate with the least number of votes shall be eliminated in any subsequent balloting. Any candidate may withdraw of their own volition at any time.

Once nominations are declared closed, nominations may not be reopened. All balloting will be conducted by an open call of the roll as set forth on the checklist. If there is no candidate with a majority of votes, there shall be a 15-minute recess after the announcement of the results. Balloting shall continue until an officer is elected.

Each candidate will name one teller to observe the marking and counting of the checklist tally.

First-ballot nominating and seconding speeches will be limited to 15 minutes for each candidate. Subsequent speeches shall be limited to 3 minutes per candidate. Candidates who desire to concede or withdraw shall speak first. No other limitations will apply to these speeches.

When not inconsistent with these rules, Mason's Manual of Legislative Procedure (2010 edition) shall govern proceedings under these rules. No rule can be suspended on less than an affirmative vote of two-thirds of those qualified to vote as set forth on the prepared checklist.
Dated: December 3, 2014
Rep. Shurtleff spoke against.
Rep. Bates spoke in favor and requested a roll call.

MOTION ON VOTING PROCEDURE

Rep. Shurtleff moved that the vote on the Proposed Ground Rules for Election be by paper ballot.
Reps. Eaton and Cali-Pitts spoke in favor and yielded to questions.
Reps. Shurtleff, Horrigan, Robertson and Jasper spoke in favor.
Reps. Bates and Ladd spoke against and yielded to questions.

Rep. Baldasaro moved the previous question.
On a division vote, with 383 members having voted in the affirmative and 8 in the negative, the motion to limit debate was adopted.

Rep. Bates withdrew his request for a roll call.

The question now being adoption of the motion by Rep. Shurtleff that the vote on the Proposed Ground Rules for Election be by paper ballot.
On a division vote, with 222 members having voted in the affirmative and 171 in the negative, the motion was adopted.

Rep. Jasper offered the following proposed Rules for Election as an amendment to the proposed Rules for Election offered by Rep. Bates:

PROPOSED GROUND RULES FOR ELECTION

The rules of these elections shall be the rules of the 2014 New Hampshire House of Representatives, subject to the following ground rules:
Only members certified by the Secretary of State shall be eligible to participate and vote. Access to the floor shall be limited to members, and such other officers and assistants as may be required by the Clerk and Sergeant-at-Arms. The Clerk will prepare a checklist of those present and qualified to vote.
Election of candidates will be by majority vote of those present and voting. If more than two candidates are standing for an office, and if there is no majority vote, there will be no elimination of the low candidate after any ballot. All candidates will remain in the running unless they withdraw of their own volition.
Balloting shall continue until an officer is elected. If there is no candidate with a majority of votes, there shall be a 15-minute recess after the announcement of the results.
On each ballot, the Clerk will have printed, in alphabetical order, the name of any candidates, who prior to the opening of the session, informed the Clerk of their candidacies. There will be one blank line for write-in candidates.
Each candidate will name two tellers to count the ballots.
First-ballot nominating and seconding speeches will be limited to 15 minutes for each candidate. Subsequent speeches shall be limited to 3 minutes per candidate. Candidates who desire to concede or withdraw shall speak first. No other limitations will apply to these speeches.
Rep. Jasper spoke in favor.

The House recessed at 11:50 a.m.

RECESS

The House reconvened at 1:00 p.m.

Rep. Jasper withdrew his proposed Ground Rules for Election.

The question now being adoption of the proposed Ground Rules for Election offered by Rep. Bates.
On a paper ballot, with 162 members having voted in the affirmative and 224 in the negative, the proposed Ground Rules for Election, offered by Rep. Bates, failed.

Rep. Jasper offered the following proposed Rules for Election:

PROPOSED GROUND RULES FOR ELECTION

The rules of these elections shall be the rules of the 2014 New Hampshire House of Representatives, subject to the following ground rules:
Only members certified by the Secretary of State shall be eligible to participate and vote. Access to the floor shall be limited to members, and such other officers and assistants as may be required by the Clerk and Sergeant-at-Arms. The Clerk will prepare a checklist of those present and qualified to vote.
Election of candidates will be by majority vote of those present and voting. If more than two candidates are standing for an office, and if there is no majority vote, there will be no elimination of the low candidate after any ballot. All candidates will remain in the running unless they withdraw of their own volition.
Balloting shall continue until an officer is elected. If there is no candidate with a majority of votes, there shall be a 15-minute recess after the announcement of the results.
On each ballot, the Clerk will have printed, in alphabetical order, the name of any candidates, who prior to the opening of the session, informed the Clerk of their candidacies. There will be one blank line for write-in candidates.
Each candidate will name two tellers to count the ballots.
First-ballot nominating and seconding speeches will be limited to 15 minutes for each candidate. Subsequent speeches shall be limited to 3 minutes per candidate. Candidates who desire to concede or withdraw shall speak first. No other limitations will apply to these speeches.
Rep. Jasper spoke in favor.
Rep. William O'Brien spoke in favor and moved the previous question.
The motion to limit debate was accepted by the Chair.
Proposed ground rules for Election offered by Rep. Jasper were adopted.

ELECTION OF HOUSE SPEAKER

The Chair declared that nominations for Speaker were in order.
Rep. Ladd placed the name of Rep. William O'Brien in nomination for Speaker and addressed the House.
Rep. Tucker seconded the nomination and addressed the House.

Rep. Rosenwald placed the name of Rep. Stephen Shurtleff in nomination for Speaker and addressed the House.
Rep. White seconded the nomination and addressed the House.
Reps. William O'Brien and Shurtleff accepted the nominations and addressed the House.

The Chair, at the request of the candidates, named Reps. Baldasaro, Itse and Silva as tellers for Rep. William O'Brien; Reps. Eaton and Weber as tellers for Rep. Shurtleff and the Chair appointed Reps. Kaen, Kurk and Schuett as tellers for the House.

FIRST BALLOT

Of the 387 votes cast, 194 were needed for election. Rep. William O'Brien received 190 votes and Rep. Shurtleff received 168. No candidate was elected on the first ballot.

Rep. Sytek moved to re-open nominations.
Reps. Sytek, Eaton and Weber spoke in favor.

Reps. Hunt, Simmons, Itse and Baldasaro spoke against.

The Chair ruled nominations could be reopened.

APPEAL OF THE RULING OF THE CHAIR

Rep. Stepanek appealed the ruling of the Chair on re-opening nominations for Speaker and requested a roll call; not sufficiently seconded.

The question being shall the ruling of the Chair be upheld?
Rep. Jasper spoke in favor.
Rep. Eaton spoke in favor and yielded to questions.
Rep. Hunt spoke against.
Rep. William O'Brien moved the previous question.
The motion to limit debate was accepted by the Chair.
Rep. Stepanek withdrew his appeal of the ruling of the Chair.

The question now being adoption of the motion by Rep. Sytek to re-open nominations for Speaker. On a division vote, with 199 members having voted in the affirmative and 182 in the negative, the motion was adopted.

The House recessed at 3:40 p.m.

RECESS

The House reconvened at 3:55 p.m.

MOTION FOR REPUBLICAN CAUCUS

Rep. William O'Brien moved that the House stand in recess for 15-minutes for a Republican caucus.
Reps. William O'Brien and Kurk spoke in favor.
Reps. Jasper and Eaton spoke against.
On a division vote, with 222 members having voted in the affirmative and 157 in the negative, the motion was adopted.

The House recessed at 4:05 p.m.

RECESS

The House reconvened at 4:20 p.m.

ELECTION OF HOUSE SPEAKER

The Chair declared that nominations are reopened for Speaker.
Rep. Hoelzel placed the name of Rep. Shawn Jasper in nomination for Speaker and addressed the House.
Rep. Kidder seconded the nomination and addressed the House.
Rep. Jasper accepted the nomination and addressed the House.

ANNOUNCEMENT

Rep. Shurtleff addressed the House and withdrew his name from nomination for Speaker.

Rep. Lynne Ober seconded the nomination of Rep. William O'Brien for Speaker and addressed the House.

SECOND BALLOT

Of the 380 votes cast, 191 were needed for election. Rep. William O'Brien received 187 votes and Rep. Jasper received 190. No candidate was elected on the second ballot.

THIRD BALLOT

Of the 377 votes cast, 189 were needed for election. Rep. William O'Brien received 178 votes, Rep. Jasper received 195 and 4 ballots were blank. The Chair declared Rep. Shawn Jasper the duly elected Speaker of the House for the 2015-2016 biennium.
The Sergeant-at-Arms escorted Speaker Jasper to the rostrum. The Speaker addressed the House.

(Speaker Jasper in the Chair)

Without objection, the Speaker called for the Joint Convention prior to the election of House Officers.

RESOLUTION

Reps. Chandler and Shurtleff offered the following: RESOLVED, that the House inform the Honorable Senate it has elected a Speaker and is ready to meet with the Senate in Joint Convention for the purpose of electing a Secretary of State and a State Treasurer.
Motion adopted.

SENATE MESSAGE

The Senate has organized and is ready to meet with the House of Representatives in Joint Convention for the purpose of electing a Secretary of State and a State Treasurer.

JOINT CONVENTION

(Speaker Jasper presiding)

The Speaker called the Joint Convention to order.

The Chair declared that nominations were in order for Secretary of State.
Sen. D'Allesandro placed the name of William M. Gardner in nomination for Secretary of State and addressed the Joint Convention.
Rep. Griffin seconded the nomination and addressed the Joint Convention.

There being no further nominations, one ballot was cast for William M. Gardner and the Chair declared him the duly elected Secretary of State for the 2015-2016 biennium.

The Chair declared that nominations were in order for State Treasurer.
Senate President Morse placed the name of William F. Dwyer in nomination for State Treasurer and addressed the Joint Convention.
Rep. Weyler seconded the nomination and addressed the Joint Convention.

There being no further nominations, one ballot was cast for William F. Dwyer and the Chair declared him the duly elected State Treasurer for the 2015-2016 biennium.

The Chair administered the oath of office to William M. Gardner and William F. Dwyer.
William M. Gardner and William F. Dwyer addressed the Joint Convention.

Sen. Bradley and Rep. Flanagan moved that the Joint Convention arise.
Motion adopted.
The Joint Convention adjourned.

HOUSE SESSION

The Speaker reconvened the House Session.

ELECTION OF HOUSE OFFICERS

The Speaker declared nominations were in order for Clerk of the House.
Rep. Hess placed the name of Paul C. Smith in nomination for Clerk of the House and addressed the House.
Reps. Leishman, Simmons and Shaw seconded the nomination and addressed the House.

Rep. Marjorie Smith placed in nomination the name of Joel Winters for Clerk of the House and addressed the House.
Reps. Backus and Williams seconded the nomination and addressed the House.

The Speaker, at the request of the candidates, named Reps. Hess, Simmons and Shaw as tellers for Paul C. Smith and Reps. Jones, Patrick Long and Cilley as tellers for Joel Winters.

Of the 332 votes cast, 167 votes were needed for election. Paul C. Smith received 183 votes and Joel Winters received 143 votes. The Speaker declared Paul C. Smith the duly elected Clerk of the House for the 2015-2016 biennium.
Paul C. Smith addressed the House.

The Speaker declared nominations were in order for Sergeant-at-Arms.
Rep. Weyler placed in nomination the name of Walter Sword for Sergeant-at-Arms and addressed the House.
Rep. Wallner seconded the nomination and addressed the House.

There being no further nominations, and without objection, the Speaker closed nominations and one ballot was cast for Walter Sword and he was declared the duly elected Sergeant-at-Arms for the 2015-2016 biennium.
Walter Sword addressed the House.

The Speaker administered the oath of office to Paul C. Smith and Walter Sword.

Reps. Welch and Shurtleff offered the following:

RESOLUTION NO. 1

RESOLVED, that the House adopt the Rules of the 2014 session, with Rule 64 deadlines prospective only, for the 2015-2016 biennium.
Motion adopted.

Reps. Welch and Shurtleff offered the following:

RESOLUTION NO. 2

RESOLVED, that all action taken at all sessions of the House of Representatives be recorded through the public address system, and that the recording be used by the Clerk to confirm and correct the permanent journal. The permanent journal as prepared by the Clerk and as may be corrected by the House shall be the official record of the House.
Motion adopted.

Reps. Welch and Shurtleff offered the following:

RESOLUTION NO. 3

RESOLVED, that the following policy be established for the distribution of House calendars and journals, bills and resolutions to members of the General Court and state departments:

1. Every citizen is entitled, free of charge, to one copy of any publication at the legislative counter or to have the publication mailed to that person upon individual request for one such copy.
2. Persons requesting copies for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be prorated when service is received for portions of the session only. All fees are payable in advance. The subscriber list may be submitted for legislative accounting and auditing purposes, but is not for publication or sale.
3. All fees charged for publications in accordance with this resolution shall be fixed with the approval of the Speaker, paid into the state treasury and credited to the legislative appropriation.

Motion adopted.

Reps. Welch and Shurtleff offered the following:

RESOLUTION NO. 4

RESOLVED, that the Speaker may employ such personnel as he may deem necessary and, with the approval of the House subcommittee of the Committee on Legislative Facilities, may fix their compensation in accordance with RSA 17-E:5.
Motion adopted.

Reps. Welch and Shurtleff offered the following:

RESOLUTION NO. 5

RESOLVED, that the members will be paid their legislative salary, as provided in the Constitution, in the month of January 2015, and that mileage of members of the House of Representatives be paid every two weeks during the session.
Motion adopted.

SENATE MESSAGE

The Senate has organized and elected its officers: President of the Senate, Senator Chuck Morse and Clerk of the Senate, Tammy L. Wright.

RESOLUTION

Rep. Welch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of resolutions be by caption only and that all resolutions be read a third time and passed and when the House adjourns today it be to convene on Wednesday, January 7, 2015.
Motion adopted.

The Organizational session of the 2015-2016 House of Representatives adjourned at 7:20 p.m.

RECESS

APPOINTMENTS

The Speaker made the following appointments:
Rep. Chandler, Deputy Speaker.
Rep. Packard, Speaker Pro Tempore.
Rep. Flanagan, Majority Leader.
Rep. Hinch, Majority Whip.
Rep. Hoelzel, Deputy Majority Whip.

The Speaker appointed Standing Committees of the House as follows:

CHILDREN AND FAMILY LAW

REPUBLICANS
Gargasz, Carolyn M., **Chairman**
DeSimone, Debra L., **Vice Chairman**
Itse, Daniel C.
Oligny, Jeffrey P.
Ingbretson, Paul
Tasker, Kyle J.
Edelblut, Frank
Ferreira, Elizabeth
Howe, Ann
Parent, Jason
Rice, Kimberly
Schleien, Eric

DEMOCRATS
Long, Patrick T.
Chase, Cynthia L.
Alicea, Caroletta C.
Stevens, Audrey M.
Kaen, Naida L.
Berrien, Skip
Froburg, Alethea
Hennessey, Martha

COMMERCE AND CONSUMER AFFAIRS

REPUBLICANS
Hunt, John B., **Chairman**
Jones, Laura M., **Vice Chairman**
Flanders, Donald H.
Belanger, Ronald J.
Tucker, Pamela Z.
Hurt, George
Bates, David M.
Biggie, Barbara
Dobson, Brian
Fraser, Valerie
Fromuth, Bart
French, Harold
Hannon, Joseph

DEMOCRATS
Butler, Edward A.
Gidge, Kenneth N.
Williams, Kermit R.
Abel, Richard M.
Bordenet, John E.
Herbert, Christopher
Luneau, David
McBeath, Rebecca

CRIMINAL JUSTICE AND PUBLIC SAFETY

REPUBLICANS
Tholl, John E., **Chairman**
Welch, David A., **Vice Chairman**
Fields, Dennis H.
Fesh, Robert M.
Marston, Dick
Burt, John A.
Sweeney, Shawn
Abramson, Max
Barnes, Arthur E.
Comeau, Ed C.
Fisher, Robert
Martin, John

DEMOCRATS
Pantelakos, Laura C.
Berube, Roger R.
Robertson, Timothy N.
Cushing, Robert T.
Hirsch, Geoffrey D.
O'Hearne, Andrew S.
Mangipudi, Latha
DiSesa, Len

EDUCATION

REPUBLICANS
Ladd, Rick M., **Chairman**
Balcom, John L., **Vice Chairman**
Boehm, Ralph G.
Cordelli, Glenn
Grenier, James L.
Elliott, Robert J.
Adams, Christopher R.
Cook, Allen W.
Moore, Josh
Osborne, Jason
Sullivan, Victoria
Wolf, Terry

DEMOCRATS
Gile, Mary Stuart
Shaw, Barbara E.
Gorman, Mary J.
Frazer, June M.
Schmidt, Andrew R.
Myler, Mel
Rollo, Deanna S.
Heath, Mary
Verschueren, James

ELECTION LAW

REPUBLICANS
Hoelzel, Kathleen F., **Chairman**
Gray, James P., **Vice Chairman**
Souza, Kathleen M.
Sweeney, Joe
Luther, Robert
Schroadter, Adam
Christie, Rick
Hogan, Edith
Silva, Peter L.
Brown, Duane R.
Gannon, William M.
Griffin, Barbara

DEMOCRATS
Cote, David E.
Moody, Marcia G.
Ward, Gerald W. R.
Burton, Wayne M.
Moynihan, Wayne
Bennett, Travis R.
DiFranco, Debbie
Pearson, William

ENVIRONMENT AND AGRICULTURE

REPUBLICANS
Haefner, Robert H., **Chairman**
O'Connor, John T., **Vice Chairman**
Groen, Warren J.
Peckham, Michele S.
Gordon, Richard E.
Scontsas, Lisa
Brewster, Michael A.
Bridge, Ernest H.
Bush, Carol A.
Darrow, Stephen J.
Howard, Raymond
Sweeney, Dennis

DEMOCRATS
Sad, Tara A.
Bartlett, Christy D.
Bixby, Peter W.
Brown, Rebecca A.
Gardner, Janice S.
Turcotte, Alan J.
Doherty, David
Saunderson, George
Simpson, Alexis

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

REPUBLICANS
Christie, Andrew, **Chairman**
Sytek, John J., **Vice Chairman**
Hansen, Peter T.
Beaudoin, Steven P.
Proulx, Mark L.
Hoell, JR
Shackett, Jeffrey
Tamburello, Daniel
Goulette, William

DEMOCRATS
Gagnon, Raymond G.
Schmidt, Peter B.
Jeudy, Jean L.
Sullivan, Daniel J.
Goley, Jeffrey P.
Hansberry, Daniel C.
Cilley, Jacalyn L.
Roberts, Carol

Kaczynski, Thomas
Smith, Gregory G.
Woitkun, Steven J.

FINANCE

REPUBLICANS
Kurk, Neal M., **Chairman**
Ober, Lynne M., **Vice Chairman**
Weyler, Kenneth L.
Allen, Mary M.
Barry, Richard W., **Division III Chairman**
Umberger, Karen C., **Division II Chairman**
McGuire, Dan
McKinney, Betsy, **Division III Vice Chairman**
Sanborn, Laurie, **Division II Vice Chairman**
Pitre, Joseph
Twombly, Timothy L.
Byron, Frank A.
Danielson, David, **Division I Vice Chairman**
Emerick, J. Tracy
Spanos, Peter J.

DEMOCRATS
Wallner, Mary Jane
Nordgren, Sharon L.
Smith, Marjorie K.
Eaton, Daniel A.
Leishman, Peter R.
Rosenwald, Cindy
Buco, Thomas L.
Hatch, William A.
Rogers, Katherine D.
Ford, Susan M.
Walsh, Robert M.

FISH AND GAME AND MARINE RESOURCES

REPUBLICANS
Kidder, David H., **Chairman**
Webb, James C., **Vice Chairman**
Sanders, Elisabeth N.
Duarte, Joe
Comtois, Guy R.
Gonzalez, Carlos
Kellogg, Shem
Knowles, Robert L.
LeBreche, Shari
Long, Douglas B.
Parker, Harold
Spillane, James

DEMOCRATS
Manley, Jonathan F.
Ward, Kenneth J.
Baroody, Benjamin C.
Forest, Armand
McNamara, Richard
Rokas, Ted
Guerette, C. Lee
Vann, Ivy

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

REPUBLICANS
Kotowski, Frank R., **Chairman**
LeBrun, Donald L, **Vice Chairman**
Emerson, Susan
McMahon, Charles E.
Martel, Andre A.
Nelson, Bill G.
Schmidt, Stephen J.
Stepanek, Stephen
Guthrie, Joseph A.
Ward, Joanne
Donovan, Daniel A.
Fothergill, John

DEMOCRATS
MacKay, James R.
French, Barbara C.
Deloge, Helen
Sherman, Thomas M.
Ticehurst, Susan J.
Weber, Lucy M.
Freitas, Mary
Gordon, Pamela
Snow, Kendall

JUDICIARY

REPUBLICANS
Rowe, Robert H., **Chairman**
Hagan, Joseph M., **Vice Chairman**
Hopper, Gary S.

DEMOCRATS
Wall, Janet G.
Horrigan, Timothy O.
Berch, Paul S.

Sylvia, Michael J.
Takesian, Charlene F.
Parsons, Robbie
Palmer, Barry
Estevez, Eric
Hull, Robert
McLean, Mark
Rouillard, Claire
Wuelper, Kurt
Heffron, Frank H.
Phillips, Larry R.
Woodbury, David
Wheeler, Deborah
Kenison, Linda

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

REPUBLICANS
Infantine, William J., **Chairman**
Simmons, Tammy, **Vice Chairman**
Pellegrino, Anthony J.
Murphy, Keith
Rideout, Leon
Hill, Greg
Seaworth, Brian
Avellani, Lino
Doucette, Fred
Prudhomme-O'Brien, Katherine
Turcotte, Leonard
Zaricki, Nick

DEMOCRATS
Ley, Douglas A.
White, Andrew A.
Rice, Chip L.
Converse, Larry
Cahill, Michael D.
DiSilvestro, Linda A.
O'Neil, William
Schuett, Dianne E.

LEGISLATIVE ADMINISTRATION

REPUBLICANS
Hinch, Richard, **Chairman**
Flanagan, Jack, **Vice Chairman**
Bailey, Brad
Ober, Russell T.
Pellegrino, Anthony
Tucker, Pamela Z.

DEMOCRATS
Weber, Lucy M.
Shurtleff, Stephen J.
MacKay, James R.
Schuett, Dianne E.

MUNICIPAL AND COUNTY GOVERNMENT

REPUBLICANS
Belanger, James P., **Chairman**
Sterling, Frank, **Vice Chairman**
Coffey, James E.
Bickford, David A.
Harris, Jeffrey
Kappler, L. Mike
DeLemus, Susan C.
Ammon, Keith
Chase, Francis G.
Cheney, Catherine A.
Peterson, Ken
Varney, Peter R.

DEMOCRATS
Tatro, Bruce L.
Porter, Marjorie A.
Carson, Clyde J.
Beaulieu, Jane E.
Brown, Chris
Cornell, Patricia H.
Tilton, Ben
Treleaven, Susan

PUBLIC WORKS AND HIGHWAYS

REPUBLICANS
Chandler, Gene G., **Chairman**
McConkey, Mark E, **Vice Chairman**
Gionet, Edmond D.
Tilton, Franklin T.
Kolodziej, Walter
Friel, William G.

DEMOCRATS
Cloutier, John R.
Sprague, Dale
Irwin, Virginia
Ebel, Karen E.
Higgins, Patricia C.
Jack, Martin L.

Milz, David E.
Seidel, Carl
Hennessey, Erin T.
Kuch, Bill
Pierce, David
Wood, David
Piper, Wendy A.
Ratzki, Mario F.

RESOURCES, RECREATION AND DEVELOPMENT

REPUBLICANS
Christensen, Chris, **Chairman**
Ferrante, Beverly A., **Vice Chairman**
Mullen, John A.
Wright, Ted
Russell, David
McGuire, Carol
Rice, Frederick C.
Gould, Linda
Johnson, Eric
Matthews, Carolyn
McConnell, Jim
Potucek, John

DEMOCRATS
Smith, Suzanne J.
Spang, Judith T.
Parkhurst, Henry A. L.
Thomas, Yvonne D.
Gottling, Suzanne H.
Bradley, Paula
Francese, Paula
Maes, Kevin
Oxenham, Lee W.

RULES

REPUBLICANS
Jasper, Shawn N., **Chairman**
Chandler, Gene G., **Vice Chairman**
Packard, Sherman A.
Flanagan, Jack B.
Hinch, Richard W.
Barry, Richard W.

DEMOCRATS
Shurtleff, Stephen J.
Wallner, Mary Jane
Rosenwald, Cindy
Weber, Lucy M.

SCIENCE, TECHNOLOGY AND ENERGY

REPUBLICANS
Introne, Robert E., **Chairman**
Richardson, Herbert D., **Vice Chairman**
Devine, James E.
Rappaport, Laurence M.
Murotake, David K.
Vadney, Herbert R.
Parison, James
Notter, Jeanine M.
Aldrich, Glen
Halstead, Carolyn
Thomas, Douglas
Vose, Michael

DEMOCRATS
Baber, William S.
Cali-Pitts, Jacqueline A.
Borden, David A.
Harvey, Suzanne
Townsend, Charles L.
Backus, Robert A.
Mann, John E.
Shepardson, Marjorie J.
Moffett, Howard M.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

REPUBLICANS
Ober, Russell T., **Chairman**
Straight, Phillip N., **Vice Chairman**
Priestley, Anne K.
Baldasaro, Alfred P.
Christiansen, Lars T.
Lundgren, David C.
Rollins, Skip
Katsakiores, Phyllis M.
Marple, A. Richard

DEMOCRATS
Theberge, Robert L.
Roberts, Kris E.
Massimilla, Linda
Smith, Timothy J.
Katsiantonis, Thomas
Booras, Efstathia
Bouldin, Amanda
Edwards, Elizabeth

McCarthy, Frank
Eastman, Eric R.
McCarthy, Peggy

TRANSPORTATION

REPUBLICANS
Smith, Steven D., **Chairman**
Walsh, Thomas C., **Vice Chairman**
Packard, Sherman A.
Chirichiello, Brian K.
Crawford, Karel A.
Hodgdon, Bruce E.
Gagne, Larry G.
Laware, Thomas
Cardon, G. Thomas
Dumais, Russell
Horn, Werner D.
True, Chris

DEMOCRATS
Sykes, George E.
O'Brien, Michael B.
Soucy, Timothy A.
Johnsen, Gladys
Patten, Dick
Brown, Pamela
Abbott, Michael
Cohen, Alan

WAYS AND MEANS

REPUBLICANS
Major, Norman L., **Chairman**
Abrami, Patrick F., **Vice Chairman**
Griffin, Mary E.
Hess, David W.
Ulery, Jordan G.
Azarian, Gary S.
Nigrello, Robert
McClarren, Donald B.
Ohm, Bill
Manning, John J.
Gallagher, Brian S.
Lachance, Joseph
Leeman, Don E.

DEMOCRATS
Almy, Susan W.
Shattuck, Gilman C.
Cooney, Mary R.
Lovejoy, Patricia T.
Ames, Richard
Karrick, David B.
Henle, Paul J.
Southworth, Tom

RECESS

HOUSE JOURNAL No. 2

Wednesday, January 7, 2015

The House assembled at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Monsignor Anthony R. Frontiero, Rector of Saint Joseph Cathedral in Manchester.

Please keep in your thoughts and prayers the family of Ronnie Berlack, a New Hampshire skier that was killed last week from an avalanche in Austria. Let us pray. Almighty and Ever-Living God, as we begin this New Year, we implore Your wisdom and guidance. Grant to the members of these legislative bodies an outpouring of Your Spirit that they may be wise in their judgments and serve freely the best interests of all the people of this great state. Broaden their personal concerns that they may seek the common good. Clarify their vision as they work together in the search for the best ideas and strategies to meet the greatest needs of our times, to best serve and safeguard the equal and inherent dignity of every human person, and to always be attuned to the helpless cries of the most vulnerable among us. Bless all members of this House, both the new and the experienced. May their faith in You, Lord God, and their awareness of the noble purpose of their awesome responsibilities on behalf of the people they represent, keep them humble in their service. May their families remain their deepest love and lasting joy. May all here who assist them in these chambers, in their respective offices and in committee responsibilities, be wise in their counsel and gracious in their service. May this legislature be a sign of unity and confidence to the people of New Hampshire, good news to the poor, and an instrument of peace in this corner of the world. Lord God, in You we trust now and forever. Amen.

Representative Peggy McCarthy, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by the B Naturals from the Speaker's Alma mater, Alvirne High School in Hudson.

LEAVES OF ABSENCE

Reps. Balcom, Butler, Fothergill, Friel, Sanborn, Silva, Simmons, Southworth and Williams, the day, important business.

Rep. Groen, the day, death in the family.

INTRODUCTION OF GUESTS

James Segiline and Stephan Pretorius, guests of Rep. Lundgren. Lloyd Hadden, guest of Rep. Ticehurst. Lois Scribner, wife of Rep. Moffett. Ann Saunderson, wife of Rep. Saunderson. Michael and Sharon Watson, guests of Rep. Francese. Stephanie and Andrew Alicea, Dante Saulsberry, daughter, grandson, and guest of Rep. Alicea. Ian Hill, and the Honorable Kathleen Lauer-Rago, former member from Franklin, son and guest of Rep. Hill. The Honorable Robert Scott, former member from Windham, guest of Rep. Vose. The Honorable Jan Schmidt, former member from Nashua, guest of Representative Harvey. The Honorable Suzanne Vail, former member from Nashua, guest of Reps. Harvey and Horrigan. The Honorable Michael McCarthy, former member from Nashua, husband of Rep. Peggy McCarthy. The Honorable Mark Pearson, former member from Salem, guest of the Speaker.

COMMUNICATION

December 23, 2014

Paul C. Smith

Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:

Please be advised that the following representatives-elect were sworn into office by the Governor and Executive Council on this day:

Hillsborough County District No. 2
Gary S. Hopper, r, Weare (107 Buxton School Rd.) 03281

Hillsborough County District No. 12
Ted Rokas, d, Manchester (393 Wilson St.) 03103

Hillsborough County District No. 21
Dick Barry, r, Merrimack (12 Kyle Rd.) 03054

Hillsborough County District No. 26
Christopher R. Adams, r, Brookline (10 Sargent Rd.) 03033

Merrimack County District 26
Jason R. Parent, r, Northfield (40 Twin Bridge Rd.) 03276

Sullivan County District No. 9
Virginia O'Brien Irwin, d, Newport (182 Fletcher Rd.) 03773

Sincerely,
William M. Gardner, Secretary of State

COMMUNICATION

January 3, 2015

Dear Mr. Speaker,

Effective immediately I resign my seat in the New Hampshire Legislature, Rockingham District 32. I do so in order to concentrate on my duties to serve the Office of Congressman Frank Guinta and the veterans community of our state.

Respectfully,
Brian F. Dobson

The Speaker accepted the resignation.

RESOLUTION

Reps. Flanagan and Shurtleff offered the following: RESOLVED, that the House of Representatives inform the Honorable Senate it is ready to meet in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.
Motion adopted.

SENATE MESSAGE

The Senate is now ready to meet with the House of Representatives in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.

JOINT CONVENTION

(Speaker Jasper presiding)

RESOLUTION

Rep. Flanagan and Sen. Bradley offered the following: RESOLVED, that the Honorable Secretary of State be requested to lay before the Joint Convention the return votes for Governor and Executive Council.
Motion adopted.

In accordance with Article 42, Part 2 of the New Hampshire Constitution, David M. Scanlan, Deputy Secretary of State, appeared before the Joint Convention and presented the return votes for Governor and the Executive Council cast in the General Election held November 4, 2014 as follows:

FOR GOVERNOR

	Margaret Wood Hassan, d	Walt Havenstein, r
Belknap	11,069	12,603
Carroll	10,332	10,316
Cheshire	16,440	10,611
Coos	6,429	4,151

Grafton	20,155	12,884
Hillsborough	67,525	70,041
Merrimack	32,365	24,608
Rockingham	57,743	60,538
Strafford	24,032	18,026
Sullivan	8,576	6,832
TOTALS	254,666	230,610

Margaret Wood Hassan, having a plurality of 24,056 votes, was elected.

FOR EXECUTIVE COUNCILORS

First District
Joseph D. Kenney, r 49,260
Michael J. Cryans, d 47,798
Plurality for Kenney 1,462

Second District
Colin Van Ostern, d 48,850
Timothy P. Dillon, r 38,501
Plurality for Van Ostern 10,349

Third District
Christopher Sununu, r 61,601
Robin McLane, d 38,420
Plurality for Sununu 23,181

Fourth District
Christopher C. Pappas, d 44,500
Robert Burns, r 40,912
Plurality for Pappas 3,588

Fifth District
David K. Wheeler, r 50,743
Diane Sheehan, d 41,138
Plurality for Wheeler 9,605

RESOLUTION

Rep. Flanagan and Sen. Bradley offered the following: RESOLVED, that the vote for Governor and Executive Council be referred to a committee consisting of two on the part of the Senate and three on the part of the House to compare and count the same and report thereon.
Motion adopted.

The Chair appointed Reps. Chandler, Flanagan and Shurtleff and Sens. Bradley and Woodburn.
Rep. Flanagan and Sen. Bradley moved that the Joint Convention arise.
Motion adopted.
The Joint Convention adjourned.

HOUSE SESSION

The Speaker reconvened the House Session.
Reps. Packard and Shurtleff moved the adoption of an amendment to House Rule 65, as proposed by the Rules Committee and as printed in the House Calendar.

AMENDMENT TO HOUSE RULES

Amend House Rule 65 to read as follows:
Legislative action for the biennium shall be subject to the following deadlines:

First Year Session Deadline Dates

Friday, January 9, 2015, Noon	Last day to sign off all House Bills.
Friday, January 30, 2015	Last day to introduce House Bills. Last day to amend House Rules by majority vote.
Thursday, February 12, 2015	Last day to report House Bills going to a second committee.
Thursday, February 19, 2015	Last day to act on House Bills going to a second committee.

Thursday, March 5, 2015	Last day to report all House Bills not in a second committee, except budget bills.
Thursday, March 12, 2015	Last day to act on House Bills not in a second committee, except budget bills.
Thursday, March 19, 2015	Last day to report all House Bills, except budget bills. Last day to report list of retained House Bills.
Thursday, March 26, 2015	Last day to report budget bills. Last day to act on all House Bills, except budget bills.
Thursday, April 2, 2015	CROSSOVER - Last day to act on budget bills.
Thursday, April 30, 2015	Last day to report Senate Bills going to a second committee.
Thursday, May 7, 2015	Last day to act on Senate Bills going to a second committee.
Thursday, May 28, 2015	Last day to report all remaining Senate Bills. Last day to report list of retained Senate Bills.
Thursday, June 4, 2015	Last day to act on Senate Bills.
Thursday, June 11, 2015	Last day to form Committees of Conference.
Thursday, June 18, 2015	Last day to sign Committee of Conference reports.
Thursday, June 25, 2015	Last day to act on Committee of Conference reports.

Rep. Flanagan spoke in favor.
Motion adopted.

Reps. Hinch and Flanagan moved the adoption of an amendment to House Rule 63, as proposed by the Rules Committee and as printed in the House Calendar.

AMENDMENT TO HOUSE RULES

Amend the first sentence of House Rule 63 to read as follows:
No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall display any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above.

Reps. Pantelakos and DiSesa spoke against.
Rep. Frederick Rice spoke in favor.
Rep. Burt spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 228 - NAYS 149

YEAS - 228

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin
Tilton, Benjamin			

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John			

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Massimilla, Linda
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gidge, Kenneth
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, William
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Shaw, Barbara
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Howe, Ann
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
DeLemus, Susan
Gray, James
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Turcotte, Leonard
Verschueren, James
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Converse, Larry
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 149

CARROLL

Buco, Thomas
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Ley, Douglas
Mann, John
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Estevez, Eric
Freitas, Mary
Gargasz, Carolyn
Goley, Jeffrey
Gorman, Mary
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Sr., Michael
O'Neil, William
Pierce, David
Porter, Marjorie
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
Lundgren, David
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew	

and the amendment was adopted.

Reps. Packard and Shurtleff moved the adoption of an amendment to House Rule 22 (c), as proposed by the Rules Committee and as printed in the House Calendar.

AMENDMENT TO HOUSE RULES

Amend House Rule 22 (c) to read as follows:
A roll call shall be taken when a member moves for a roll call vote and that motion is seconded by 20 other members. The member requesting the roll call vote and the 20 members who second the motion shall notify the clerk in writing and must be present in the chamber when the request is seconded or shall rise from their seats or otherwise be recognized by the Speaker. Whenever a roll call vote is requested and properly seconded, members shall enter the chamber to take their seats and the question shall then be put to the House.

LAID ON THE TABLE

Rep. Hunt moved that the Amendment to House Rule 22 (c) be laid on the table.
Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 343 - NAYS 36

YEAS - 343

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	McConnell, Jim
Pearson, William	Phillips, Larry	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Brown, Rebecca	Cooney, Mary
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gorman, Mary
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jack, Martin
Katsiantonis, Thomas
Kurk, Neal
Lachance, Joseph
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Sr., Michael
O'Brien, William
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, William
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Martin, John
Moffett, Howard
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Howe, Ann
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam

Sherman, Thomas	Simpson, Alexis	Spillane, James	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Baber, William	Beaudoin, Steven	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DeLemus, Susan
DiSesa, Len	Gray, James	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert
Leeman, Don	Mullen, John	Parsons, Robbie	Pitre, Joseph
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard
Verschueren, James	Wall, Janet	Ward, Kenneth	Whitehouse, Joshua

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

NAYS - 36

CHESHIRE

Parkhurst, Henry	Robertson, Timothy	Sterling, Franklin	Tilton, Benjamin

COOS

Thomas, Yvonne

GRAFTON

Darrow, Stephen

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Gidge, Kenneth
Gould, Linda	Guerette, C. Lee	Hansberry, Daniel	LeBrun, Donald
Martel, Andre	Seidel, Carl	Straight, Phillip	Sullivan, Daniel

MERRIMACK

Hoell, J.R.	Horn, Werner	Kuch, Bill	McGuire, Carol
Seaworth, Brian	Turcotte, Alan	Wallner, Mary Jane	

ROCKINGHAM

Azarian, Gary	DeSimone, Debra	Elliott, Robert	Gannon, William
Gordon, Richard	Major, Norman	Manning, John	Nigrello, Robert

STRAFFORD

Gardner, Janice Wuelper, Kurt

SULLIVAN

Laware, Thomas

and the motion was adopted.

Rep. Stepanek moved the adoption of a floor amendment to House Rule 8.

AMENDMENT TO HOUSE RULES

Proposed by Reps. Stepanek and Bates: Amend House Rule 8 to read as follows:

Designating a substitute to preside, *appointing a majority and minority leader. (a)* The Speaker shall have power to substitute any member to perform the duties of the Chair. If absent, the Speaker shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

(b) The Speaker shall appoint the elected majority and minority caucus leaders as the respective Majority and Minority Leader. (c) If the elected majority caucus leader is the Speaker, he or she shall appoint his or her designee as Majority Leader.

Reps. Stepanek, Weyler and Wood spoke in favor.
Reps. Rowe, Shurtleff and Packard spoke against.
Rep. Stepanek requested a roll call; sufficiently seconded.

YEAS 120 - NAYS 260

YEAS - 120

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Howard, Jr., Raymond
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Wright, Ted			

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
Johnson, Eric			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christiansen, Lars	Christie, Rick	Coffey, James
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda
Goulette, William	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Hopper, Gary	Lachance, Joseph	Marston, Dick	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, William	Parison, James
Rice, Kimberly	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	Parent, Jason	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Cardon, G. Thomas	Duarte, Joe	Emerick, J. Tracy	Gannon, William
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Howe, Ann
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Oligny, Jeffrey	Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Weyler, Kenneth	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	DeLemus, Susan	Hannon, Joseph
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Parsons, Robbie
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Bridge, Ernest

NAYS - 260

BELKNAP

Dumais, Russell
Fields, Dennis
Flanders, Donald
Fraser, Valerie
Gallagher, Brian
Hurt, George
Russell, David
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Buco, Thomas
Chandler, Gene
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Katsiantonis, Thomas
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McNamara, Richard
O'Brien, Sr., Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June

French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Long, Douglas	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas
Wheeler, Deborah			

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Chase, Francis	Chirichiello, Brian	Cook, Allen
Cushing, Robert	DeSimone, Debra	Devine, James	DiFranco, Debbie
Doucette, Fred	Elliott, Robert	Ferrante, Beverly	Fesh, Robert
Francese, Paula	Gordon, Pamela	Griffin, Mary	Guthrie, Joseph
Heffron, Frank	Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis
Lovejoy, Patricia	Lundgren, David	Major, Norman	Manning, John
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Milz, David	Moody, Marcia	Nigrello, Robert	O'Connor, John
Packard, Sherman	Pantelakos, Laura	Peckham, Michele	Potucek, John
Priestley, Anne	Sanders, Elisabeth	Sherman, Thomas	Simpson, Alexis
Sytek, John	Ward, Gerald	Webb, James	Welch, David
Woitkun, Steven			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cheney, Catherine
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Mullen, John
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

and the floor amendment failed.

Rep. Itse moved the adoption of a floor amendment to House Rule 30.

AMENDMENT TO HOUSE RULES

Proposed by Reps. Itse, Baldasaro and Ingbretson: Amend House Rule 30 to read as follows:
Committee names and duties: The following standing policy committees shall be appointed at the commencement of any session and will consist of not more than 24 members, with the exception of the House Finance Committee, which will have no more than 26 members: Children and Family Law; Commerce and Consumer Affairs; Criminal Justice and Public Safety; Education; Election Law; Environment and Agriculture; Executive Departments and Administration; Finance; Fish and Game and Marine Resources; *Government Oversight and Audit;* Health, Human Services and Elderly Affairs; Judiciary; Labor, Industrial and Rehabilitative Services; Legislative Administration; Municipal and County Government; Public Works and Highways; Resources, Recreation and Development; Rules; Science, Technology and Energy; State-Federal Relations and Veterans Affairs; Transportation; and Ways and Means. The Speaker may designate divisions within committees.
Amend House Rule 30, by adding the following:
30. (v) It shall be the duty of the Committee on Government Oversight and Audit to hear petitions for redress; to review all audit reports regarding the executive branch and the judicial branch; and to conduct all investigations of impeachment. The committee shall have authority to demand oaths of witnesses and to request that the House of Representatives issue subpoenas to provide testimony and/or material to the committee.

The Speaker ruled the Amendment out of order because it does not adequately reflect the additional changes to House Rules that would be necessary for it to be adopted. Specifically, House Rules 30(g) and 31 would need to be amended in order for this amendment's applicability to succeed and as it is silent on those counts, the amendment is not in order.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 101 through 139 and House Concurrent Resolutions numbered 1 and 2, shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF HOUSE BILLS AND HCRS

First, second reading and referral

HB 101, relative to prescription refills. (D. McGuire, Merr 21; Kotowski, Merr 24; Reagan, Dist 17: Health, Human Services and Elderly Affairs)
HB 102, relative to consideration of warrant articles. (J. Belanger, Hills 27; Flanagan, Hills 26; Hoelzel, Rock 3; DiSesa, Straf 16: Municipal and County Government)
HB 103, limiting the capabilities of wireless communication devices in motor vehicles. (J. Belanger, Hills 27: Science, Technology and Energy)
HB 104, prohibiting placement at the Sununu Youth Services Center under the child protection act. (Rideout, Coos 7; Burt, Hills 39: Health, Human Services and Elderly Affairs)
HB 105, relative to special number plates for members of the Civil Air Patrol. (Notter, Hills 21; Baldasaro, Rock 5; Marston, Hills 19; LeBrun, Hills 32; T. Smith, Hills 17; Moore, Hills 21: Transportation)
HB 106, relative to marital assets in divorce proceedings. (Flanagan, Hills 26; Abrami, Rock 19; Oligny, Rock 34: Judiciary)
HB 107, relative to the retention of municipal trust fund bank statements. (Rappaport, Coos 1; Theberge, Coos 3; Fothergill, Coos 1: Municipal and County Government)
HB 108-FN, relative to the content and sealing of minutes in nonpublic sessions under the right-to-know law. (Horrigan, Straf 6; Wall, Straf 6; M. Smith, Straf 6; Boutin, Dist 16: Judiciary)
HB 109-FN-L, relative to the testing of backflow devices. (Beaudoin, Straf 9; L. Ober, Hills 37; C. McGuire, Merr 29; O'Connor, Rock 6: Executive Departments and Administration)
HB 110, relative to placement of political advertising. (Gray, Straf 8; Hoelzel, Rock 3: Election Law)
HB 111, relative to land retained by the state. (Hirsch, Merr 6; B. French, Merr 6: Resources, Recreation and Development)
HB 112, relative to domicile for voting purposes. (Chandler, Carr 1: Election Law)
HB 113, designating the mastodon as the official state fossil. (Borden, Rock 24; Sherman, Rock 24; Stiles, Dist 24: Executive Departments and Administration)
HB 114, relative to grocery sales by stores licensed to sell alcoholic beverages. (Murphy, Hills 7: Commerce and Consumer Affairs)
HB 115, repealing the allocation of gross appropriations from the highway fund in the state budget. (Richardson, Coos 4: Public Works and Highways)
HB 116, relative to the renomination of teachers. (Richardson, Coos 4: Education)
HB 117, relative to providers prescribing cannabis for therapeutic purposes. (Irwin, Sull 9; Grenier, Sull 7: Health, Human Services and Elderly Affairs)
HB 118, relative to vehicular assault. (Shurtleff, Merr 11: Criminal Justice and Public Safety)
HB 119, establishing the John G. Winant Memorial Commission. (Shurtleff, Merr 11; D'Allesandro, Dist 20: Executive Departments and Administration)
HB 120, relative to complaint procedures before the state commission for human rights. (Abrami, Rock 19: Judiciary)
HB 121, making a technical correction to the negligent driving statute. (Crawford, Carr 4: Transportation/Criminal Justice and Public Safety)
HB 122, relative to advertising of liquor or beverages. (Murphy, Hills 7: Commerce and Consumer Affairs)
HB 123, relative to walking disability placards. (Steven Smith, Sull 11; Laware, Sull 8; Grenier, Sull 7; Irwin, Sull 9; Rollins, Sull 6; Little, Dist 8: Transportation)

HB 124, relative to the implementation of new college and career readiness standards. (Cordelli, Carr 4; Murotake, Hills 32; Boehm, Hills 20; Harris, Rock 9; Marston, Hills 19; V. Sullivan, Hills 16; Adams, Hills 26; Jones, Straf 24; Reagan, Dist 17: Education)

HB 125-FN-L, relative to county audits and competitive bidding for county services. (Cordelli, Carr 4; Umberger, Carr 2; McConkey, Carr 3; Avellani, Carr 5; Comeau, Carr 5; F. McCarthy, Carr 2; L. Ober, Hills 37; S. Schmidt, Carr 6; Jones, Straf 24; Bradley, Dist 3: Municipal and County Government)

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school. (Heath, Hills 14; Myler, Merr 10; Harris, Rock 9; Frazer, Merr 13; Stiles, Dist 24: Education)

HB 127, relative to identification of voters. (Berch, Ches 1; Horrigan, Straf 6; Gionet, Graf 5; Verschueren, Straf 13; Grenier, Sull 7; T. Smith, Hills 17; Richardson, Coos 4; Bartlett, Merr 19; Ley, Ches 9; Patten, Merr 17: Election Law)

HB 128, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. (McClarren, Hills 29: Commerce and Consumer Affairs)

HB 129, relative to unused prescription drugs. (F. Rice, Rock 21; Emerick, Rock 21; Wood, Rock 21: Health, Human Services and Elderly Affairs)

HB 130, relative to the use of blue lights on emergency vehicles. (Danielson, Hills 7; Proulx, Hills 44; White, Graf 13; S. Sweeney, Hills 23; Carson, Dist 14: Transportation)

HB 131, relative to renewal of health club memberships. (R. Belanger, Rock 8; Estevez, Hills 37; Manning, Rock 8: Commerce and Consumer Affairs)

HB 132-L, relative to time-based rates for electric service. (Marston, Hills 19; Mullen, Straf 1: Science, Technology and Energy)

HB 133, relative to recounts on questions. (Byron, Hills 20; J. Belanger, Hills 27; Soucy, Dist 18: Election Law)

HB 134, establishing a committee to study the use of motorized scooter chairs on roadways and sidewalks. (Patten, Merr 17; Estevez, Hills 37; Deloge, Merr 16: Transportation)

HB 135, relative to qualifications of assistant election officials. (Grenier, Sull 7; J. Belanger, Hills 27; Hoelzel, Rock 3; Steven Smith, Sull 11; Spang, Straf 6: Election Law)

HB 136, prohibiting tanning facilities from tanning persons under 18 years of age. (Barnes, Rock 8; Azarian, Rock 8: Health, Human Services and Elderly Affairs)

HB 137, relative to homeowner's insurance. (Flanders, Belk 3; Infantine, Hills 13: Commerce and Consumer Affairs)

HB 138-FN, relative to inspection of governmental records under the right-to-know law. (Horrigan, Straf 6; Wall, Straf 6; M. Smith, Straf 6; Boutin, Dist 16: Judiciary)

HB 139-FN, relative to an emergency exception under the New Hampshire retirement system for certain part-time employment. (Ratzki, Merr 1: Executive Departments and Administration)

HCR 1, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. (Notter, Hills 21; LeBrun, Hills 32; Baldasaro, Rock 5; Marston, Hills 19; McConnell, Ches 12: Legislative Administration)

HCR 2, applying to Congress to hold a convention for amendments. (T. Smith, Hills 17; Theberge, Coos 3; Massimilla, Graf 1: Legislative Administration)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time and when the House adjourns today it be to meet Thursday, January 8, 2015 at 10:30 a.m.

Motion adopted.

LATE SESSION

UNANIMOUS CONSENT

Rep. Bixby requested Unanimous Consent of the House in regards to the natural rights in the Constitution and addressed the House.

Rep. Rogers and the Concord Delegation requested Unanimous Consent of the House in regards to memorial remarks for Lt. Colonel Stephanie Riley of Concord. Rep. Rogers addressed the House.

Reps. Rowe and Wall requested Unanimous Consent of the House in regards to memorial remarks for former Representative, the Honorable David Nixon and addressed the House.

Reps. Backus and Marjorie Smith requested Unanimous Consent of the House in regards to memorial remarks for former Representative, the Honorable Kimon S. Zachos of Manchester and addressed the House. Rep. Itse requested Unanimous Consent of the House in regards to the purpose of government and addressed the House.

MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Rep. Rogers during Unanimous Consent be printed in the Permanent Journal.

REMARKS

Rep. Rogers: Thank you, Mister Speaker. Mister Speaker, colleagues and friends, once in a while it is important to step back from our work here in Concord and recognize a rare and special person who stood among us, someone of achievement, an inspirational life well led. On December 29, New Hampshire lost Lt. Colonel Stephanie Murdough Riley of Concord to cancer at age 47. She served our country and our state, and she was the backbone of her family. Stephanie spent her life serving others, and leading the cause of helping others, even in her own struggle. She was a nurse, a wife to Shawn and a loving mother to Shane, 13 and Sammy, 9. Lt. Colonel Riley served in Operation Desert Storm and in the New Hampshire Air National Guard where she was deployed in support of Operation Iraqi Freedom. She served with distinction. Stephanie worked at Concord Hospital, served on the New Hampshire Commission on Post Traumatic Stress Disorder and Traumatic Brain Injury, was a member of the New Hampshire State Veterans Advisory Committee, and two years ago, served as a member of Governor Hassan's military guard during the inauguration. Lt. Colonel Riley loved the military and would have loved to stay for twenty more years, but it was not in the cards for her. Stephanie's body betrayed her powerful will. She bravely fought and defeated breast cancer only to have to take up the fight against lung cancer. She rarely allowed her smile or her determination to live fade from view. She served our nation as long as her health would allow. Lt. Colonel Riley was to have her retirement ceremony this coming Saturday, January 10. Cancer denied her that honor. She lost her battle with lung cancer, but not without one hell of a fight. After her diagnosis, she was tireless in efforts to raise public awareness about early cancer screenings. She knew the face of the enemy and Stephanie was a powerful weapon for good. Last fall, over 5,300 walkers rose over $560,000 for research in Concord's Making Strides against Cancer walk. Steph was among them even as she battled stage IV lung cancer. Even then, she was leading the way. She had walked a year before as a survivor without assistance. She was one of the largest fundraisers. It was important for her to participate despite the physical toll fighting lung cancer had taken on her. "I walked a little bit of it and did the rest of it in a wheelchair that my great friends took turns pushing," she stated proudly. The 5-mile loop became a bit of a pep rally, included 184 teams, and among them was "Steph Strong." Her team wore pink camouflage sweatshirts. Steph kept everyone updated on her battle with postings on Facebook. She was incredibly open about her battle with cancer. She shared the victories and the joys and made us all stronger. Among her postings: "I told myself to stop being such a wimp and just give myself the stupid shot. Well I gave myself the shot and now I am a pro at self-injections. Just another learning experience on this cancer journey…" "You always kinda wonder if you have made any impact in your life and I am just overwhelmed by how much everyone is behind me." "Just got home from…the State Veterans Advisory Committee meeting, of which I am the secretary, an awesome group of veteran services organizations and community members that do so much for the veterans in our great state. So proud to be a part of such an important organization. If I could give any advice I would say to LISTEN TO YOUR BODY and get things checked that just don't seem right so that you can treat things early and successfully. Change your priorities and don't let your stress kill you. Family and friends are what it is all about…live and love well." Mr. Speaker, New Hampshire has lost a great warrior and a great woman. May we all show the courage she has shown to her family, to her friends, and to her country when our time comes. Thank you, Lt. Colonel Stephanie Riley for showing us all what it means to be "Steph Strong!" Rest in peace, my friend.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of Lieutenant Colonel Stephanie Riley of Concord.

REMARKS

Without objection, the Speaker requested the remarks by Reps. Rowe and Wall printed in the Permanent Journal.

Rep. Rowe: Thank you, Mister Speaker. Last November, one of New Hampshire's premier citizens died, David Nixon, at the age of 82. David was a military veteran, he was an attorney, he was a Legislator, a member of this House and he was President of the Senate. I got to know David forty years ago when he took an extreme measure in the Senate of taking the Senate on the road. They went around to different schools and had executive sessions there. Most important about David is, in his profession as a legislator and as an attorney, he was a compassionate, caring individual. I will tell you one anecdote that illustrates some of his actions. Three years ago, my wife, Helen, and I went to a restaurant with David and his wife, Pat. It was the Mile Away restaurant in Milford. As we were walking out, way off to my left, a woman jumped up from her table and rushed over and said, "Are you attorney Nixon?" My reaction was uh-oh, what's coming next? David said, "Yes" and she said, "I want to thank you. You represented my mother 30 years ago. You saved her life. Thank you." So, colleagues, how many of us would be thanked for something we did, an action, 30 years ago? I think very few. God bless you, David.

Rep. Wall: Thank you, Representative Rowe. I first knew David from his reputation and from his daughter, who served here in the House when I first started nearly 30 years ago. I knew him to be a good and decent man. David was a man who was compassionate. David was a man who would take on cases for the regular person, a lot of cases no other attorney would take on because they weren't moneymakers. David came back into the House a few years ago and filed a number of pieces of legislation and I approached him and said, "David, it looks like you are trying to clean up a lot of unfinished business." He said, "You are right, I am." I knew David was not well at that time, but David was noble. David was committed. David served with us on the Judiciary Committee and did a beautiful job. He wasn't always respected because he brought in so much legislation that time and a lot of people didn't think it really mattered, but to David, it did. David mattered to a lot of other people. David became a friend. I knew him, as I said, first through his daughter. My son knew him through me. He became a mentor to my son and a dear friend. David kept in touch with us after he left the legislature and for those of us in Judiciary, occasionally we would receive these great big bundles of papers from David just reminding us of things we needed to do and should do as decent human beings and as legislators. Last time I was in touch with David was last summer. I knew it wouldn't be long, but my heart broke when we lost him. God bless him and may he rest in peace.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Manchester, the Honorable David L. Nixon.

MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Reps. Backus and Marjorie Smith during Unanimous Consent be printed in the Permanent Journal.

REMARKS

Rep. Backus: Thank you, Mister Speaker. I am joined by Representative Marjorie Smith in these remarks, which are made on behalf of a wonderful citizen of Manchester, the State of New Hampshire and a very important part of the history of this House and this legislature. I speak of attorney Kimon Zachos of Manchester who died very suddenly and his wake is actually tomorrow. Interestingly enough, in the remarks we just heard about David L. Nixon, another fine lawyer and citizen who worked in Manchester, Kimon and David Nixon were best friends. Kimon came from Bennington, New Hampshire. His parents were immigrants from Greece and he came up to attend Wesleyan University, which happens to be my Alma mater and David Nixon's Alma mater. He was the first White House fellow. He served in that time and got very close to the attorney general, Nicholas Katzenbach at the time when the civil rights movement was at its height and the Justice Department was enforcing voting rights in the South and he was a key part of that. Since he returned to Manchester to practice law, he spent 42 years with one law firm, Sheehan, Phinney Bass & Green firm in Manchester, but he never stopped contributing to the public in so many ways. There are so many things he did. He was a critical part of the development of Southern New Hampshire University which everybody knows now and what an amazing institution that is coming from a small operation in Hanover to now having five campuses. He also was a long time trustee and Chairman of the Board of the Currier Gallery of Art in Manchester and he just made that institution into a world-class museum that is the pride of not only Manchester, but also New Hampshire. Under him

the museum was completely renovated, 50% expanded exhibition space. It has become a source of great pride and great benefit to citizens throughout New Hampshire with not only its exhibits, which the last one was amazing, but also its art education and many other activities. He was married to his wife, Anne, for over 50 years and he is the father of three daughters. Those three daughters have five sons, so he had five grandsons and the next generation is presumed to be all daughters again. He was a terrific family man, a good friend, and an able lawyer. He was named Lawyer of the Year, served many honors, but in terms of this House, he served both as the Majority Leader on the Republican side and as Deputy Speaker and he clearly could have gone much further with a political career, but he was happy with his legal career, happy with his family life, but he never stopped contributing. As his partner, Brad Cook says, a long time distinguished lawyer, "He had a most complete life anybody could imagine; a great family life, a great life of public service and a great life as an excellent and well regarded lawyer." New Hampshire has lost a wonderful citizen and I have lost a great friend with both Dave Nixon and Kimon Zachos. I would ask Marjorie if she would like to add to those comments.

Rep. Marjorie Smith: Thank you, Bob. In 1965, I was working in Washington and was joined in Washington by my sister and brother-in-law. My brother-in-law was in the first group of White House Fellows. In that group were some absolutely incredible people. In that same year, I met a gentleman that came from all places, New Hampshire. My sister was quite surprised that anybody from New Hampshire would be someone I would be interested in so in trying to figure out exactly the nature of this relationship, she introduced us to one of my brother-in-law's colleagues in that first group of White House Fellows and that was Kimon Zachos. In 1965, we bonded and the bond has never been broken and will never be broken. They do not make people like Kimon Zachos anymore. He spent his entire life focused on the public good whether it was having legal services available to people who need it, whether it was understanding the importance of arts and culture in our society, whether it was encouraging people to participate in the political process or whether it was playing a strategic role in building the New Hampshire Charitable Foundation to one of the preeminent charitable foundations in the country. In every aspect of life, this was a man who was guided by integrity and honesty and commitment to the public good. A life-long Republican, he was appointed by Republican and Democratic leaders alike to play key roles in advisory positions because they knew that his integrity and his intelligence would rule the day. We have lost a real leader in the state of New Hampshire and I hope those of us who remain will try always to do our best to live up to his expectations. Thank you.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Manchester, the Honorable Kimon S. Zachos.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 12:00 p.m.

RECESS

(Speaker Jasper in the Chair)

Rep. Chandler moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 3

Thursday, January 8, 2015

The House assembled at 10:30 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. I am honored to serve as your chaplain and at the same time, I recognize that the Episcopal brand of spirituality is not for everyone. That's why, in addition to my regular visits, you will also have visits from representatives of other denominations and faiths, as you did yesterday. And, on this momentous Inaugural Day, you will be blessed by the presence of four faith leaders of different traditions! It's important for us to respect the wide range of spirituality that exists wherever people gather. Even those of the same denomination are not all inspired in exactly the same way, but whatever your personal faith story may be, there is another faith that permeates this Chamber and connects us all. That is the faith that the people of New Hampshire have placed in you, their elected representatives. So, my prayer for you today, and every day, is that you will come away from each Session, each official gathering, knowing that you have done your best to honor the people's trust. O God of many names, many forms and many expressions, I pray that You would inspire the people who serve in this House. Give them wisdom and insight and speak clearly to their hearts. Equip them with everything they need to be the best they can be. Amen.

Representative Laura Pantelakos, member from Portsmouth, led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Gagne, Kenison, Massimilla, Parsons, Patten, Phillips, Spang and Wheeler, the day, illness.
Reps. Aldrich, Allen, Ammon, Avellani, Balcom, Ronald Belanger, Berch, Bordenet, Bouldin, Duane Brown, Rebecca Brown, Bush, Butler, Byron, Cardon, Cynthia Chase, Francis Chase, Chris Christensen, Cilley, Comeau, Cook, Cordelli, Crawford, DeSimone, Edwards, Emerick, Flanders, Fothergill, Valerie Fraser, June Frazer, Friel, Froburg, Gagnon, Gannon, Gargasz, Gile, Goley, Gould, Goulette, Grenier, Guthrie, Haefner, Hagan, Harris, Henle, Higgins, Hill, Hirsch, Hoell, Hull, Hunt, Infantine, Irwin, Eric Johnson, Jones, Kaczynski, Kellogg, LeBrun, Ley, Lundgren, Major, Mann, Marston, Matthews, McClarren, McConkey, Carol McGuire, Dan McGuire, McLean, Milz, Nelson, Michael O'Brien, O'Hearne, Oligny, Osborne, Parent, Parison, Parkhurst, Pellegrino, Piper, Potucek, Prudhomme-O'Brien, Chip Rice, Carol Roberts, Robertson, Rollins, Russell, Sad, Andrew Schmidt, Peter Schmidt, Schroadter, Seaworth, Shaw, Simmons, Gregory Smith, Steven Smith, Suzanne Smith, Timothy Smith, Southworth, Souza, Sterling, Victoria Sullivan, Sykes, Sylvia, Sytek, Takesian, Tholl, Doug Thomas, Townsend, Treleaven, True, Alan Turcotte, Thomas Walsh, Joanne Ward, White, Williams and Wuelper, the day, important business.
Rep. Marjorie Smith, the day, illness in the family.
Rep. Doucette, the day, death in the family.

INTRODUCTION OF GUESTS

Atinuke Cahill, wife of Rep. Cahill. Lorrie and Sarah Jasper, wife and daughter of the Speaker.

RESOLUTION

Reps. Chandler and Shurtleff offered the following: RESOLVED, that the House of Representatives notify the Honorable Senate that it is ready to meet in Joint Convention for the purposes of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, for the Inauguration of the Governor and for the taking of the oath by the Executive Council.
Motion adopted.

SENATE MESSAGE

The Senate is now ready to meet with the House of Representatives in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, the Inauguration of the Governor, the Honorable Margaret Wood Hassan, and the taking of the oath by the Executive Council.

JOINT CONVENTION
(Speaker Jasper presiding)
REPORT

Reps. Chandler, Flanagan and Shurtleff and Sens. Bradley and Woodburn offered the following report: The Joint Committee appointed to compare and count the votes for Governor and Executive Council reports that it has attended to its duties and the vote is correct.

INTRODUCTION AND SEATING OF SPECIAL GUESTS

The Sergeant-at-Arms introduced the following special guests who were escorted to their seats by Aides-de-camp: Friends, family and honored guests of Governor Hassan. Mayor of Concord, Hon. James Bouley. Commissioners and Department Heads for the State of New Hampshire. Members of Law Enforcement and Public Safety. Deputy Administrative Judge of the New Hampshire Circuit Court, Hon. David D. King. Administrative Judge of the New Hampshire Circuit Court, Hon. Edwin W. Kelly. Associate Justices of the New Hampshire Supreme Court, Hon. James P. Bassett, Hon. Robert J. Lynn, and Hon. Carol Ann Conboy. Senior Associate Justice of the New Hampshire Supreme Court, Hon. Gary E. Hicks. Chief Justice of the New Hampshire Supreme Court, Hon. Linda S. Dalianis. United States District Court Judges for the District of New Hampshire, Hon. Landya McCafferty and Hon. Paul J. Barbadoro. Chief Justice of the United States District court of the District of New Hampshire, Hon. Joseph N. Laplante. New Hampshire Attorney General, Joseph A. Foster. Leadership of the New Hampshire House of Representatives. Former Speaker of the House, Speaker Terie Norelli. Hon. William H. Shaheen, representing United States Senator Jeanne Shaheen. Retired Justice of the United States Supreme Court, Justice David H. Souter. New Hampshire State Treasurer, Hon. William F. Dwyer. New Hampshire Secretary of State, Hon. William Gardner. The Reverend Clergy. Executive Councilor representing District 1, Hon. Joseph D. Kenney. Executive Councilor representing District 2, Hon. Colin Van Ostern. Executive Councilor representing District 3, Hon. Christopher T. Sununu. Executive Councilor representing District 4, Hon. Christopher C. Pappas. Executive Councilor-elect representing District 5, Hon. David K. Wheeler. Governor Hassan's mother, son and daughter, Margaret Wood, Benjamin and Megan Hassan, accompanied by Joyce Averill and Elizabeth Halliday.

Governor Margaret Wood Hassan and her husband, Thomas E. Hassan were introduced and escorted to the rostrum by Major General William N. Reddel III, the Adjutant General of the State of New Hampshire.

INVOCATION

Offered by the Reverend Father Robert J. Archon from St. Nicholas Greek Orthodox Church in Portsmouth.

Almighty God and Creator, You are the Father of all people on the earth. Guide, I pray, Your elected Governor Maggie Hassan in the ways of justice and peace. Protect her office from thoughts of injustice, prejudice, exploitation, and conflict. Help her to put away mistrust, bitterness and hatred. Lead her to seek of peace, respect and freedom. Unite her governing board in the making and sharing of tools of peace against ignorance, poverty, disease and oppression. Grant that we may grow in harmony and friendship as brothers and sisters created in Your image to Your honor and praise. St. Paul reminds us, "Let everyone be subject to the governing authorities, for there is no authority except that which God has established" (Romans 13:1). Let us therefore be subject to one another in reverence to You. Bless this, our elected Governor, Maggie Hassan. Grace her with compassion for those she faces with challenges, justice for those who long for liberation, and a spirit of respect for life, the dignity of each person, and the common good. I thank You for the plan You gave to our forefathers by which to govern our nation and for the division of powers so that our destiny does not rest in the hands of one person. In praying for those in authority, I therefore lift up her Excellency Governor Maggie Hassan, to You. I pray that by Your Holy Spirit this legislative body will make laws that are just. Father, I ask You to give her and those who work with her, wisdom to make decisions that would strengthen and prosper our State of New Hampshire and nation at large. I desire that they would make right decisions concerning the politics, social welfare, and economics of our state. I pray that they will be motivated by Your hand and not their own personal abilities alone. Thank You, Father, for surrounding Your chosen Governor with wise counsel, calling upon Your guidance to be bold, just and true, a woman

of high moral character not compromising the standards that Your ways lay out for them. Bless her Excellency, Governor Maggie Hassan, New Hampshire's eighty-first governor, her husband Tom, their children Ben and Meg as they journey to serve Your people with humility and confidence in their God-given talents to effect positive change in this our nation. Amen.

PRESENTATION AND POSTING OF COLORS

Members of the New Hampshire Colonial Color Guard and the New Hampshire National Guard Honor Guard presented and posted the Colors.

PLEDGE OF ALLEGIANCE

Shane Riley of Concord, in memory and in honor of his mother, New Hampshire Air National Guard Lieutenant Colonel Stephanie Riley, led the Pledge of Allegiance.

NATIONAL ANTHEM

The National Anthem was sung by Christopher Duffley of Manchester.

PRAYER FOR PEACE AND THANKSGIVING

Offered by Rabbi Amy Loewenthal of Congregation Ahavas-Achim in Keene.

We are thankful to be together on this bright day, to offer and to receive words of blessing. Let us look into each other's hearts and be thankful for what unites us, a common desire to serve, to build, to bring more peace into the world. Let us look into each other's faces and be thankful for what differentiates us, our varied cultures, considerations, concerns. My Jewish culture has a longstanding tradition of appreciating difference, honoring the lively and constructive clash of opinions. Our ancient sages, Rabbi Hillel and Rabbi Shammai disagreed in most areas of ritual practice and ethics. Shammai was concerned with upholding tradition, was strict in interpreting Jewish law to fit the situation at hand, being flexible to bring the greatest good. Let us note the warmth and humanitarianism of Hillel and let us also recognize Shammai's vigilance in preserving a coherent tradition. They brought out the best in each other. Their debates, endless yet respectful, were called "disputes for the sake of Heaven." What is a 'dispute for the sake of Heaven'? It is a dispute which will ultimately lead to something enduring. Let us note how Hillel and Shammai together strove for a justice tempered with mercy. Their thinking together gave rise to a pluralistic tradition, which continues until this day, two thousand years later. Governor Hassan, you surely appreciate our Sages' legacy. You encourage 'debates for the sake of Heaven.' Debates that shape action for the greatest common good for the people of New Hampshire. Let us give honor to you on this bright day as you are sworn in for your second term as our Governor. Let us thank you for your clear vision and your patient dedication. Let us thank you for your ability to unite us across our differences. And, let us bless you as our leader, inspiring all of us as we too strive to serve, to build, to bring more peace into this world. Governor Hassan, we bless you in words from the Psalmist. MA'ASEH YADAYIKH KONENAH ALAYIKH. May the work of your good hands continue and continue. And, let us say, "Amen."

OATHS OF OFFICE

The Honorable Linda S. Dalianis, Chief Justice of the New Hampshire Supreme Court administered the oath of office to Governor Margaret Wood Hassan.

Thomas, Benjamin and Megan Hassan, husband, son and daughter, joined the Governor on the rostrum.

Governor Hassan administered the oath of office to the Honorable Executive Councilors, Joseph D. Kenney, Colin Van Ostern, Christopher T. Sununu, Christopher C. Pappas and David K. Wheeler.

PRAYER FOR A SUCCESSFUL ADMINISTRATION

Offered by Reverend Kathleen Brownback, teacher of Religion and Philosophy at Phillips Exeter Academy.

God of many faiths, many names, we gather on this bright morning, members of both parties, members of the senate and the assembly old and new, other members of the federal, state and local government, and citizens and friends of New Hampshire, to participate in the second inauguration of the Governor, Maggie Hassan. To govern is an awesome responsibility, and to do it well takes courage. It takes the kind of wisdom that comes only with experience. It takes unbelievable com-

mitment. It takes an endless ability to focus on the big picture, on the purpose of good government, to manage our common life together in a way that supports the potential of all. This is not a job for one person alone, and we are here above all to rededicate ourselves to this extraordinary task. From the sparkling waves of Seacoast beaches to the tallest peaks in the White Mountain range, to our farmlands and lakes and thriving cities, New Hampshire is a beautiful state. We are blessed with public resources to steward and to protect, with schools and transportation and public health to strengthen. This is the elected task of many in this room, and their staffs, and their colleagues. At times their work is unglamorous and unseen, and noticed only when it is not done. The common good often seems elusive and the difficult questions before us loom large and yet their work, and their leadership, could not be more important in upholding the value of community, shared risk, and a fabric of connection we all depend on in ways we often do not notice. The work of the Governor is central to it all, helping support the ideals of those who elected her and to recognize the legitimate concerns of those who did not. It takes courage, it takes wisdom, it takes commitment, it takes ability, all of which she has. No one does this job alone. May she be able to depend on the rest of us for support, for constructive challenge, for humor and perspective at stressful moments, and with deep respect for her leadership past, present, and future. This is our prayer. Amen.

READING

Victoria Arlen, Paralympic Gold Medalist from Exeter recited a poem by Alice B. Fogel of Acworth, New Hampshire Poet Laureate.

Inaugurate

Let's take the advice of birds,
and begin in flight.
Stirred with one slight flutter,
and another,
and another,
winds will spin
into the formation of one flock.
Let's rise up from the surrounding mountains and move
from the margins to the heart
until we are all heart –
the grand or small, singular peak
where we each nest
woven into one
common geometry of range and reach.
Let's praise the state
of a circle,
praise the color, the bloom and sheen,
of every plume on every wing –
praise the ring
of weather rough and sweet, of songs
aired from cities and fields, from the hills and trees.
Let's spiral from border to core.
Let's begin again as we are, and must be –
able and free,
solving the problems of gravity
by every imperceptible
pulse and prayer
lifting a feather in turn,
till finally, all together,
we take flight
with the force
of our collective wings, their span
filling the whole sky.

MUSICAL INTERLUDE

"Jubilate Deo" was performed by the Concord Community Music School's Scholarship Vocal Ensemble.

INAUGURAL ADDRESS

By Governor Margaret Wood Hassan

Mr. Speaker, Mr. President, Madam Chief Justice, Justice Souter, honorable members of the House, Senate, Executive Council and Judiciary, and my fellow citizens, thank you for once again entrusting me with the solemn responsibilities of this office. It is an honor to serve as your Governor, and I will continue striving every single day to live up to your trust and to make progress for all of the people of New Hampshire. To Speaker Jasper and President Morse, I am ready to roll up my sleeves and I know you are too. I look forward to working with both of you, and with all members of the House and Senate, to keep our state moving forward. I also want to take a moment to thank my family, my husband, Tom, and our children, Ben and Meg, my mom, Peggy, my brother, Frank and my sister, Franny and our family of the heart, Liz and Joyce. Without your love and support, I wouldn't be standing here today. Thank you for everything, today, and every day, and let me express our profound gratitude to the brave men and women serving with the New Hampshire National Guard, and all members of our armed services and veterans. It is because of your dedicated service that we are all free to be here today. As I stood before you two years ago on this occasion, our people, businesses, and economy were still reeling from the worst recession our nation had known in generations. Facing into the great challenge before us, we recommitted ourselves that day to the traditions that make the Granite State strong, cooperation, bipartisanship, and common-sense problem solving in order to move our economy forward. The people of our state work through problems together every day, and they expect their elected leaders to do the same thing and over the past two years, we have not allowed the partisan divide to be an obstacle to getting things done. Democrats, Republicans and Independents worked together, and we found that when we did, the sum of our progress was far greater than our individual ideas or perspectives. After vigorous debates, we emerged stronger. From health care to higher education to transportation, by working together, we found a new way forward on our most pressing challenges. To continue building an innovation economy for our future, with more opportunity for all of our people, we must always be looking to find that place where differing ideas meet. We know better than to think that any one political party has all the answers. At every step of the way, we must ask ourselves how can we reach the middle ground that fuses our individual ideas into something greater, something that will strengthen the economic future of all of our people? How can we find new solutions and approaches, the ones that nobody has thought of yet? Though the challenges before us are significant, we are capable of finding that new way forward, because that's what Granite Staters do. That's what a young man from Concord did nearly 230 years ago when he needed a way to wake himself up before dawn to get to work because in the year 1787 there was no such thing as a mechanical alarm clock in America. Yet Levi Hutchins was undeterred, and he refused to accept that he would have to wait for the roosters to crow before he could start his day so Levi figured out that by adding an extra gear into a brass clock, he could make it strike a bell at four o'clock every morning. Like a true Granite Stater, he recognized that while tradition is important, we must not simply rely on the old way of doing things. When faced with a challenge, he found a new way forward. That stubborn refusal to accept that there is a limit to what we can accomplish lives on in our state today. Just ask Deepika Kurup, a sixteen-year old sophomore at Nashua South High School. According to Deepika, "Science has the enormous power to help people find solutions to problems we never thought could be solved," and she would know. On a family trip to India, Deepika was troubled when she saw children drinking dirty water so she spent her summer vacation developing a system to purify water using solar energy. She discovered that by combining two chemicals and adding sunlight, her sustainable, cost-effective system could destroy bacteria and decontaminate water. As global challenges go, it doesn't get much bigger than the scarcity of safe drinking water, but rather than be daunted by the magnitude of this challenge, Deepika found a new way forward. For her work, Deepika has earned the title of "America's Top Young Scientist," and she and her family are here with us today. In the months and years ahead, we must not forget Levi and Deepika's examples here in Concord. Examples of people who challenged themselves to find new approaches that nobody had thought of yet and if we can do the same, we will continue laying the foundation of a brighter economic future. A future where our middle class families can breathe just a little bit easier. A future where our entrepreneurs and small businesses have the support they need to thrive and create good jobs. A future where young people have attractive opportunities for both careers and quality of life. Together, while ensuring fiscal responsibility, we have already made real progress in building a stron-

ger, more innovative economy, but as we gather today, we remain at the beginning of our work to ensure that all of our citizens are included in our shared success and prosperity. The good news is that thanks to our bipartisan progress, we're in a better position than most other states. Our unemployment rate is at its lowest level since 2008. Last month, New Hampshire's credit outlook was restored to "stable," and our private sector has recovered all of the jobs lost in the recession. We also continue to be known across the country for our high quality of life. A recent report ranked New Hampshire as the best state to live and the best state to earn a living, and in 2013, our median household income was the highest in the nation, but to the hard-working people across our state, statistics don't always reflect the individual struggles that some face. Our families are focused on whether they can afford to send their kids to college, and whether they'll be able to make their mortgage payment at the end of the month. Our small business owners want to know that they'll be able to pay their electric bill and make payroll. Our young people are focused on whether they have access to an affordable higher education, and whether they'll be able to build a career and a life here when they're done. When young parents read that our state is the best place to live and raise a family, we need to ensure that they can see a path for themselves and their children to share in our high quality of life and thrive economically. All across our state there are people who work hard, play by the rules, and give back to their communities. They do all the right things, yet they are finding that the cost of the essential components of a thriving middle class life, college tuition, health care, owning a home, is growing faster than their paychecks. These Granite Staters aren't looking for a free pass, just an opportunity to work their way to a brighter future. To widen the doors of middle class opportunity, we must approach these next two years with a relentless focus on ensuring that every Granite Stater who works hard can find success. On building a more innovative economic future that lifts all of our people, in every corner of this state, we must not let ourselves believe that if we simply do things the same way we've always done them, the future will take care of itself. The needs of families and businesses are changing, and we too must adapt our approach to meet those needs. Our low-tax environment, which the Tax Foundation ranked 7th best in the country for businesses, will continue to be important to our economic success. That's why we will continue to balance our budget without a sales or an income tax, but we must also think more broadly about what matters to people and businesses who are considering becoming a part of our economy. Both individuals and businesses need to know that we will remain one of the safest, healthiest, and most livable states in the nation. They need to know that in New Hampshire they'll have access to modern and safe infrastructure, and also world-class schools that are preparing the workforce of the future. Over the past two years, we've begun to strengthen the foundation of a more innovative economic future, but we know that there is more we must do to build on all of our advantages in the Granite State. There is perhaps no area where the needs of our businesses and families intersect more than in education. Last year, we brought together a task force to modernize the way we teach science, technology, engineering, and math in our schools. It's time to bring our standards into the 21st century to ensure that our students are prepared to compete for jobs in today's global economy. Our new vision for the future must also ensure that when our students reach college age, higher education is not a financial weight for young people and their families to bear for years to come, but rather an opportunity to jumpstart a secure career. I'm proud that we took an important step in that effort by restoring funding for higher education in our bipartisan budget, allowing us to freeze tuition at our university system, and lower it at our community colleges, but that must only be the beginning. In our next budget, we must work as hard as we can to continue to hold down the cost of higher education. We must make sure that tuition at our universities is affordable enough to help attract and retain young people, rather than drive them away and when our students finish college, we must continue to find ways to keep more of them here. That means that our young people must have confidence that they will have opportunities for good jobs in New Hampshire when they graduate. We know that there are innovative companies looking for high-skilled workers, and we need to help our businesses create more good jobs. We have made progress to support job-creating companies, such as doubling the R&D tax credit to help businesses invest in new technologies, revitalizing our economic development efforts, and modernizing our Corporations Act. Through our Live Free and Start initiative, we're bringing together business leaders and entrepreneurs from across New Hampshire to help make our state even more responsive to the needs of new businesses. As part of that effort, we are proposing to update and modernize our Securities Regulations Act, making it easier for innovative businesses to raise the capital they need to grow

and to flourish. We also must respond to what our businesses, young people, and families, are telling us about how they see themselves and the part they play in the 21st-century economy. We know that young people and families want to be able to hike in the mountains on a Saturday morning and then go to a Red Sox game in the evening. We know that our businesses want faster, more convenient access to their customers, and they want us to retain a younger workforce ready for the future of our economy. We are not going to move our state's economy forward over the next decade by withdrawing into ourselves. We are part of an economic region, and our new vision for the future must take an integrated approach to economic development. New Hampshire, with all of our advantages, can compete with Massachusetts for businesses and individuals, while also touting our proximity to Boston as one of the many selling points to locating in the Granite State. That's why, in order to maximize our regional position, and to spark economic growth for decades to come, we should bring commuter rail from Boston to Nashua and Manchester. Rail brings with it improved access to the entire region, and can provide new transportation and housing opportunities, the kind of opportunities that 21st-century workers and families are looking for. Our business community understands the many benefits of commuter rail, and that is why they are calling on us to act. We must find a consensus way forward on rail that will build on our many advantages and help set the stage for a new generation of economic growth by keeping more of our young people right here in the Granite State. Young people, like all Granite Staters, must also know that they will always have the personal and financial security that comes with access to affordable health insurance, no matter their economic circumstances. Through life's bruises, breaks, or worse, they must know that the next accident or illness won't lead them to bankruptcy. We have already worked together to provide that peace of mind with more than 30,000 Granite Staters receiving coverage through our bipartisan health care expansion plan. This uniquely New Hampshire solution is helping reduce uncompensated care and the resulting cost shifting to New Hampshire's families and businesses. We must recognize that the benefits of our expansion plan are a critical component of our economic future. We cannot overstate the importance of continuity and predictability for our citizens and our businesses. As we plan for the future of health care in our state, we must do so with the commitment that our responsibility to our people, to our businesses, and to our economy cannot sunset and in order for all of our people and businesses, young and old, new and established, to succeed, we must achieve the affordable energy future that has eluded our state for far too long. We already know that this winter our families and businesses are seeing spikes in their electricity bills due in large part to the shortage of natural gas pipeline capacity. While we must increase our focus on conservation and energy efficiency to protect our natural resources and to lower costs, we must also acknowledge that we need to increase the supply of natural gas and diversify our energy resources. Working with local communities, we must find solutions while protecting our beautiful places, our natural resources, and the character of our state. We will not capitulate to plans that aren't right for New Hampshire, but we must innovate, negotiate, and get to solutions that lead to a stronger, more affordable energy future. As we do all these things though, our vision for a new way forward must always include the needs of our workers, so that they can thrive economically in their own lives. For too long, wages have failed to grow with the cost of our families' needs. Our path forward must strengthen wages for our workers by restoring and increasing New Hampshire's minimum wage. Increasing the minimum wage will have a ripple effect on wages higher up the scale, while supporting businesses and encouraging job creation by putting more money in the pockets of consumers so that they can buy goods and services. It is long past time that we take this critical step forward for our economy. We must also ensure that when Granite Staters find a good job, they'll also be able to find dependable childcare, housing that's both convenient and affordable, and access to full-day kindergarten. We need to find new ways to make these essentials a reality for more of our people. Each of the challenges that we must overcome to reach our full economic potential can be taken on while living within our means and maintaining fiscal responsibility. Granite Staters are frugal and we pride ourselves on our small, nimble state government. With our bipartisan budget, and the steps that we've taken together to protect that budget and our bond rating, we've shown that we can remain fiscally responsible while investing in the priorities that will help build a brighter, more innovative economic future, but as we continue our responsible approach and develop our next balanced budget, we must also recognize that there are certain basic responsibilities of government that must be met for our people, our businesses, and our economy to thrive. We've made critical investments to improve public safety, to address pressing public health challenges like

substance misuse and behavioral health, and to ensure that we have a modern, safe transportation infrastructure. Our commitment to these priorities must continue and in order to protect taxpayer dollars, we must also continue to challenge ourselves to make state government more innovative and efficient. Our dedicated state employees are constantly working to do more with less as they face ever-tightening budgets, and we must find new ways to support them as they continue to work tirelessly to move our state forward. We will, of course, face difficult choices ahead and when we do, we will work to bring people together to find a new way forward – to solve our biggest challenges in a fiscally responsible way that expands middle class opportunity and keeps our economy moving in the right direction. Let us be clear; the challenges before us are great but as we embark on this next chapter, we must not be deterred, and we must not allow politics to stand in the way of our progress. Together, we can lay the foundation of a brighter economic future with stronger wages and more opportunity to climb the ladder of success, a future where innovative businesses are creating more good jobs, and where more of our young people are staying and thriving. To those who say we can't come together to do these things and more, I say to them, you don't know the Granite State. That's what we do here. What it will take, throughout our work together, is moving past the inevitable arguments, identifying our challenges, and then finding the solutions that nobody has thought of yet, the New Hampshire solutions that will help build a more prosperous future for all of our people. The people of New Hampshire are tough and we are daring, we are rugged individuals and we are members of our close-knit communities, we are innovative and we respect the traditions that make us strong and we are stubborn in our refusal to accept that there is a limit to what we can accomplish. That's how a clockmaker from Concord found a way to start the day on his own terms, and how a teenager from Nashua conceived an idea that could save lives and maybe even change the world. With that same stubborn determination, we too can do remarkable things. That's who we are as Granite Staters, and that's who we must continue to be. I look forward to that challenge, and to the brighter economic future that we will all build, and share in, together. Thank you.

BENEDICTION

Offered by the Right Reverend, A. Robert Hirschfeld, Bishop, Episcopal Church of New Hampshire. Gracious God, Source of all life, counsel and wisdom, we stand within stout walls of granite, a symbol of our steadfast character. Our State House and Legislative buildings were constructed in the rock of our rugged state in witness to aspirations to be solid, certain, and stable, for each other and for the future generations. But such endeavors are always under Your sight and depend on Your favor. Granite buildings such as these can remind us of the Tower of Babel if those who labor here expect to encounter one voice that claims to embrace all that is true. As that sacred story teaches us, for a community to endure it must be challenged by drastic, at time even indecipherable, difference among us. And so deliver us, O Holy One, from the presumption that our Granite State will be monolithic, unwilling to be changed and shaped by the voices of the stranger, the underprivileged, the other party, the other. May statements uttered within these solid walls begin not with the limiting words "of course" or "obviously" but with the open "tell me how" and the curious "what if?" May those who visit these stone walls not find stoney hearts, but beating hearts eager to join justice with mercy, to shape truth by empathy. May our state government give birth to a new era of respect, by which we literally "see again" the one we are tempted to discredit and may our nation notice the work that takes place in Concord as a bright example of how dignity is practiced in civil life. So make our communities flourish in Your sight. In Your hallowed name we pray. Amen.

Rep. Chandler and Sen. Bradley moved that the Joint Convention arise.
Motion adopted.
The Joint Convention adjourned.

HOUSE SESSION

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Parker offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time.
Motion adopted.

RECESS MOTION

Rep. Parker moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed to the Call of the Chair at 1:10 p.m.

RECESS

(Rep. Cote in the Chair)

RESOLUTION

Rep. Weyler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 140 through 175 and House Resolution numbered 6 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF HOUSE BILLS AND HR

First, second reading and referral

HB 140, relative to appointment of inspectors of election. (Gray, Straf 8; Hoelzel, Rock 3: Election Law)
HB 141, relative to rulemaking authority concerning work schedules in pharmacies. (P. Schmidt, Straf 19: Executive Departments and Administration)
HB 142, relative to student social media policies by educational institutions. (Rogers, Merr 28; Cushing, Rock 21; Boehm, Hills 20: Education)
HB 143, relative to electric renewable energy classes. (Murotake, Hills 32; Flanagan, Hills 26; Eastman, Hills 28; Seidel, Hills 28; Avard, Dist 12: Science, Technology and Energy)
HB 144, establishing a commission to study the long-term viability of the New Hampshire state port authority. (Cali-Pitts, Rock 30: Public Works and Highways)
HB 145, allowing municipalities to dedicate a percentage of timber yield taxes to the conservation fund. (Manley, Hills 3: Municipal and County Government)
HB 146, relative to the board of dental examiners. (P. Schmidt, Straf 19: Executive Departments and Administration)
HB 147, relative to the homestead exemption amount. (Tucker, Rock 23: Municipal and County Government)
HB 148, limiting the authority of delegates to Article V conventions. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Ulery, Hills 37; Tucker, Rock 23; Reagan, Dist 17: State-Federal Relations and Veterans Affairs)
HB 149, relative to qualifications for the office of county commissioner. (Bailey, Graf 14; Richardson, Coos 4: Election Law)
HB 150, establishing a study committee on the legalization of marijuana. (Phillips, Ches 16; Cushing, Rock 21: Criminal Justice and Public Safety)
HB 151, establishing a committee to study end-of-life decisions. (Phillips, Ches 16: Judiciary)
HB 152, establishing a state poem. (Peckham, Rock 22: Executive Departments and Administration)
HB 153, relative to the telecommunications planning and development advisory committee. (Rappaport, Coos 1: Science, Technology and Energy)
HB 154, relative to the power of towns to adopt bylaws and ordinances. (Irwin, Sull 9: Municipal and County Government)
HB 155, relative to municipal contracts for police chief. (Bickford, Straf 3: Municipal and County Government)
HB 156, relative to the 70 mile per hour speed limit on a portion of I-93. (Moffett, Merr 9; Bartlett, Merr 19: Transportation)
HB 157, relative to enforcement of condominium liens for assessments. (Infantine, Hills 13: Commerce and Consumer Affairs)
HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association. (Infantine, Hills 13: Commerce and Consumer Affairs)
HB 159, repealing the committee to study the laws relating to condominium and homeowners' associations. (Infantine, Hills 13: Commerce and Consumer Affairs)

HB 160, relative to qualifications of condominium association board members. (Infantine, Hills 13: Commerce and Consumer Affairs)

HB 161, relative to the termination of a management contract by a condominium association. (Infantine, Hills 13: Commerce and Consumer Affairs)

HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety. (Welch, Rock 13; Tholl, Coos 5; Cushing, Rock 21: Executive Departments and Administration)

HB 163, establishing a state minimum hourly rate. (Robertson, Ches 6: Labor, Industrial and Rehabilitative Services)

HB 164, relative to processing applications for the therapeutic use of cannabis. (Wright, Carr 8; Lachance, Hills 8; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

HB 165, relative to the definition of "qualifying medical condition" for the therapeutic use of cannabis. (Lachance, Hills 8; Wright, Carr 8; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

HB 166-L, relative to records storage by municipalities. (K. Roberts, Ches 16: Municipal and County Government)

HB 167, directing the commissioners of the department of resources and economic development and the department of environmental services to develop a business development plan to attract certain businesses to New Hampshire. (Danielson, Hills 7: Resources, Recreation and Development)

HB 168, relative to grounds for divorce for persons with minor children. (Groen, Straf 10; Hopper, Hills 2: Children and Family Law)

HB 169, relative to table stakes poker. (Williams, Hills 4: Ways and Means)

HB 170, relative to the advisory committee on international trade. (Tucker, Rock 23: Commerce and Consumer Affairs)

HB 171, relative to rebating. (Flanders, Belk 3; Infantine, Hills 13: Commerce and Consumer Affairs)

HB 172, establishing a commission to study the operations of small claims court. (Beaudoin, Straf 9: Judiciary)

HB 173, relative to instructions on ballots. (Williams, Hills 4: Election Law)

HB 174, establishing a committee to study the name and structure of the department of resources and economic development. (Infantine, Hills 13: Resources, Recreation and Development)

HB 175, establishing a committee to study removing the department of justice from the financial approval process for residential condominium and housing subdivisions. (Infantine, Hills 13: Commerce and Consumer Affairs)

HR 6, recognizing February 26, 2015, as the 23rd Anniversary of the Khojaly Tragedy in Azerbaijan. (Tucker, Rock 23: Legislative Administration)

RECESS

(Rep. Shurtleff in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 176 through 195 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 176-FN-A-L, relative to towns affected by the Merrimack River flood control compact and the Connecticut River flood control compact and making an appropriation therefor. (Ratzki, Merr 1; Karrick, Merr 25; Myler, Merr 10; Luneau, Merr 10; Carson, Merr 7; Wallner, Merr 10; Ebel, Merr 5; Mann, Ches 2; Shepardson, Ches 10; McNamara, Hills 38; Hosmer, Dist 7; Forrester, Dist 2; Feltes, Dist 15: Finance)

HB 177-FN, relative to sales for on-premises consumption by beverage manufacturers. (Hunt, Ches 11: Commerce and Consumer Affairs)

HB 178, relative to exclusions from seasonal highway weight limit regulations. (Rideout, Coos 7; Richardson, Coos 4; Patten, Merr 17; Tholl, Coos 5; Massimilla, Graf 1; Theberge, Coos 3: Transportation)

HB 179, relative to placement of political advertising. (Gionet, Graf 5; Fields, Belk 4; Weyler, Rock 13; Richardson, Coos 4; Bailey, Graf 14; Ladd, Graf 4; D'Allesandro, Dist 20; Sanborn, Dist 9; Boutin, Dist 16: Election Law)

HB 180, relative to the definition of "price or consideration" under the real estate transfer tax. (Kaen, Straf 5: Ways and Means)

HB 181, relative to the definition of "meeting" under the right-to-know law. (Cali-Pitts, Rock 30: Judiciary)

HB 182, establishing a committee to study alternative public employee retirement plans. (Hess, Merr 24; Kurk, Hills 2: Executive Departments and Administration)

HB 183, relative to voter registration forms. (Marston, Hills 19; Lachance, Hills 8; Mullen, Straf 1; Carson, Dist 14: Election Law)

HB 184, relative to travel insurance. (Hunt, Ches 11; Gidge, Hills 33; Carson, Dist 14; Lasky, Dist 13: Commerce and Consumer Affairs)

HB 185, allowing straight ticket voting. (Marston, Hills 19; Spillane, Rock 2; Lachance, Hills 8; Mullen, Straf 1; Hagan, Rock 4; LeBrun, Hills 32; Souza, Hills 43; Daniels, Dist 11: Election Law)

HB 186, enabling the department of environmental services and the town of New Ipswich to negotiate an agreement regarding the encroachment of the town cemetery on state land. (Coffey, Hills 25; Parison, Hills 25: Municipal and County Government)

HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax. (Major, Rock 14; Almy, Graf 13: Ways and Means)

HB 188, allowing the department of health and human services to share certain Medicaid enhancement tax information with the Centers for Medicare and Medicaid Services. (Major, Rock 14; Almy, Graf 13: Health, Human Services and Elderly Affairs)

HB 189, relative to authorization of payments by the treasurer from the Rockingham county delegation budget. (Weyler, Rock 13; Major, Rock 14; M. Griffin, Rock 7; F. Rice, Rock 21; Kappler, Rock 3; Birdsell, Dist 19; Reagan, Dist 17: Municipal and County Government)

HB 190, establishing a committee to study the standards for collaborative pharmacy practice. (MacKay, Merr 14; White, Graf 13; Schuett, Merr 20: Health, Human Services and Elderly Affairs)

HB 191, relative to projects which are privately financed in energy efficiency and clean energy districts. (Mann, Ches 2; Bradley, Dist 3: Municipal and County Government)

HB 192, relative to the valuation of utility property. (Coffey, Hills 25; Carson, Merr 7; Karrick, Merr 25: Municipal and County Government)

HB 193, relative to utility assessments for the use of village district roads. (Coffey, Hills 25: Municipal and County Government)

HB 194, providing that life begins at conception. (Hoell, Merr 23; Moore, Hills 21; DeLemus, Straf 11; Kappler, Rock 3; Murotake, Hills 32; Wuelper, Straf 3; Prudhomme-O'Brien, Rock 6; Gould, Hills 7; Souza, Hills 43; Leeman, Straf 23: Judiciary)

HB 195, relative to continuing care communities. (Hunt, Ches 11; Butler, Carr 7; Pierce, Dist 5: Commerce and Consumer Affairs)

RECESS

(Rep. Weber in the Chair)

RESOLUTION

Rep. Kaen offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 196 through 204 and Constitutional Amendment Concurrent Resolutions numbered 1 and 2 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF HOUSE BILLS AND CACRS

First, second reading and referral

HB 196, requiring the removal of identifying features from vehicles formerly used as ambulances. (Welch, Rock 13; Fields, Belk 4: Transportation)

HB 197-FN, relative to sales and samples provided by wine manufacturers. (Hansen, Hills 22; Sad, Ches 1: Commerce and Consumer Affairs)

HB 198, relative to retention requirements for certain motor vehicle records. (Crawford, Carr 4: Criminal Justice and Public Safety)

HB 199, relative to tax relief information contained on a property tax bill. (Jones, Straf 24; Sad, Ches 1; Beaudoin, Straf 9; Leeman, Straf 23; Cordelli, Carr 4; Hannon, Straf 25; Ferreira, Hills 28; Berube, Straf 18; Sylvia, Belk 6; C. Chase, Ches 8; Cataldo, Dist 6; Reagan, Dist 17; Avard, Dist 12; Pierce, Dist 5; Watters, Dist 4: Municipal and County Government)

HB 200, defining "farm stand." (R. Brown, Graf 2; Moynihan, Coos 2; Bixby, Straf 17; Rappaport, Coos 1; Fuller Clark, Dist 21: Environment and Agriculture)

HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services. (Mullen, Straf 1: Resources, Recreation and Development)

HB 202, repealing the authority for the dispensing of prescription drugs in certain clinics. (Wuelper, Straf 3: Health, Human Services and Elderly Affairs)

HB 203, relative to the unauthorized practice of law. (Beaudoin, Straf 9; Jones, Straf 24; Cook, Rock 11: Judiciary)

HB 204, relative to incompatibility of town offices. (Rowe, Hills 22: Election Law)

CACR 1, relating to taxation. Providing that a 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principal of all state bonds. (Ulery, Hills 37: Ways and Means)

CACR 2, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. (Steven Smith, Sull 11; Laware, Sull 8; Itse, Rock 10; Grenier, Sull 7; Pierce, Dist 5; Fuller Clark, Dist 21: Ways and Means)

RECESS

The Speaker appointed a Special Committee of the House as follows:

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS

It shall be the duty of the Special Committee on Public Employee Pension Plans to consider matters pertaining to the functioning, revision and reform of public employee pension plans and programs; the funding of public employee pension plans and programs; eligibility for participation in and benefits under public employee pension plans and programs; alternative public employee pension plans and programs; and such other matters as may be referred to it.

REPUBLICANS
Hess, David W., **Chairman**
Sytek, John, **Vice Chairman**
Kurk, Neal M.
Infantine, William J.
Azarian, Gary S.
Ohm, William H.
Edelblut, Frank
Byron, Frank A.
Proulx, Mark L.

DEMOCRATS
Goley, Jeffrey P.
Sullivan, Daniel J.
Lovejoy, Patricia T.
Schuett, Dianne E.
DiSesa, Len

RECESS

(Rep. Mullen in the Chair)

RESOLUTION

Rep. Suzanne Smith offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 205 through 223 and Constitutional Amendment Concurrent Resolution numbered 4 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF HOUSE BILLS AND CACR

First, second reading and referral

HB 205-L, relative to lending practices of energy efficiency and clean energy districts. (C. McGuire, Merr 29; Itse, Rock 10: Municipal and County Government)

HB 206, relative to non-academic surveys or questionnaires given to students. (Boehm, Hills 20; Cordelli, Carr 4; Pitre, Straf 2; Itse, Rock 10; Gile, Merr 27: Education)

HB 207, defining probable cause or reasonable ground for the purpose of arrest without a warrant. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Tasker, Rock 2; Abramson, Rock 20: Criminal Justice and Public Safety)

HB 208-FN, repealing the New Hampshire regional greenhouse gas initiative program. (Barry, Hills 21; Moore, Hills 21; Notter, Hills 21: Science, Technology and Energy)

HB 209, repealing New Hampshire's atomic energy policy. (Backus, Hills 19; Cushing, Rock 21: Science, Technology and Energy)

HB 210, relative to financial responsibility limits for motor vehicle liability insurance. (Goley, Hills 8; Soucy, Dist 18: Commerce and Consumer Affairs)

HB 211, establishing a commission for domestic affairs. (Brewster, Merr 21; Ingbretson, Graf 15: Children and Family Law)

HB 212, relative to revocation of hunting licenses of persons convicted of a felony while hunting, trapping, or fishing. (Shepardson, Ches 10; Kelly, Dist 10: Fish and Game and Marine Resources)

HB 213, establishing an energy awareness commission. (McNamara, Hills 38; Manley, Hills 3; Shepardson, Ches 10: Science, Technology and Energy)

HB 214-FN, relative to circumstances under which a police officer's certification may be revoked. (Tasker, Rock 2; Schleien, Hills 37; Beaudoin, Straf 9; Ulery, Hills 37; H. French, Merr 2; Spillane, Rock 2; Abramson, Rock 20; Hansen, Hills 22; Edwards, Hills 11; Reagan, Dist 17: Criminal Justice and Public Safety)

HB 215-FN, relative to school building aid grant payments. (Ladd, Graf 4; Cloutier, Sull 10; Myler, Merr 10; Gile, Merr 27; Boehm, Hills 20; Grenier, Sull 7; Shaw, Hills 16; Harris, Rock 9; Richardson, Coos 4; Mullen, Straf 1: Education)

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions. (C. McGuire, Merr 29; P. Schmidt, Straf 19; Reagan, Dist 17: Executive Departments and Administration)

HB 217-FN, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board. (Irwin, Sull 9; Steven Smith, Sull 11: Executive Departments and Administration)

HB 218-FN, relative to additional funding for third grade proficiency in mathematics. (Ladd, Graf 4; Myler, Merr 10; Grenier, Sull 7: Education)

HB 219-FN, relative to the use of electronic benefits transfer (EBT) cards. (McMahon, Rock 7; MacKay, Merr 14; Kotowski, Merr 24; LeBrun, Hills 32; Lachance, Hills 8; M. Griffin, Rock 7; Sherman, Rock 24; Emerson, Ches 11; Spillane, Rock 2; Bailey, Graf 14; Reagan, Dist 17; Bradley, Dist 3: Health, Human Services and Elderly Affairs)

HB 220-FN, requiring licensure of community association property managers. (LeBrun, Hills 32; Williams, Hills 4; Almy, Graf 13; Jack, Hills 36; C. Chase, Ches 8; Cataldo, Dist 6: Commerce and Consumer Affairs)

HB 221-FN, relative to the granting of 4-year baccalaureate degrees by the community college system of New Hampshire. (Burton, Straf 6; Fuller Clark, Dist 21: Education)

HB 222-FN, exempting certain homeowners over 80 years of age from the statewide education tax. (Coffey, Hills 25; Parison, Hills 25: Ways and Means)

HB 223-FN, relative to external review under the managed care law. (Butler, Carr 7; Hunt, Ches 11; Pierce, Dist 5: Commerce and Consumer Affairs)

CACR 4, relating to the right to vote. Providing that 17-year olds who will be eligible to vote in the general election be permitted to vote in that election's primary election. (Notter, Hills 21; LeBrun, Hills 32; Moore, Hills 21; Baldasaro, Rock 5; Marston, Hills 19: Election Law)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 224 through 264 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 224-FN, repealing the exemption for water and air pollution control facilities from local property taxation. (Cushing, Rock 21; F. Rice, Rock 21; Rogers, Merr 28; Kurk, Hills 2; Stiles, Dist 24; Fuller Clark, Dist 21: Municipal and County Government)

HB 225, requiring the defendant to personally appear in the courtroom during a victim impact statement. (Cushing, Rock 21; Pantelakos, Rock 25; Elliott, Rock 8; Mangipudi, Hills 35; Soucy, Dist 18; Lasky, Dist 13; Cataldo, Dist 6: Judiciary)

HB 226, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions. (J. Belanger, Hills 27; Edelblut, Hills 38; Boutin, Dist 16: Municipal and County Government)

HB 227, relative to eminent domain on public lands. (J. Belanger, Hills 27; Coffey, Hills 25; Rappaport, Coos 1; Grenier, Sull 7; Frazer, Merr 13; Gardner, Straf 15; Gargasz, Hills 27: Municipal and County Government)

HB 228, relative to showing or specially marking a ballot. (Rideout, Coos 7; Tamburello, Rock 5; Burt, Hills 39; Richardson, Coos 4; Hoell, Merr 23: Election Law)

HB 229, relative to increasing the maximum amount of the optional veterans tax credit. (Chirichiello, Rock 6; Notter, Hills 21; Potucek, Rock 6; Fromuth, Hills 7; Leeman, Straf 23; Martin, Merr 23; J. Sweeney, Rock 8; Spillane, Rock 2; R. Christie, Hills 6; Rideout, Coos 7; Carson, Dist 14: Municipal and County Government)

HB 230, relative to penalties for failure to timely discharge a mortgage. (Chirichiello, Rock 6; Hinch, Hills 21; Chandler, Carr 1; Gidge, Hills 33; DeSimone, Rock 14; Webb, Rock 6; Leeman, Straf 23; Coffey, Hills 25; Fraser, Belk 1; Cardon, Rock 6: Commerce and Consumer Affairs)

HB 231, relative to applications for school building aid. (Cahill, Rock 17; Moody, Rock 17; Schroadter, Rock 17; Bixby, Straf 17; Ratzki, Merr 1; Mullen, Straf 1; Ley, Ches 9; Fuller Clark, Dist 21; Watters, Dist 4: Education)

HB 232, relative to training in suicide risk assessment, treatment, and management. (P. Schmidt, Straf 19: Health, Human Services and Elderly Affairs)

HB 233, relative to local approval of mining activity. (Hunt, Ches 11; Sterling, Ches 14; Sanborn, Dist 9: Municipal and County Government)

HB 234, relative to renewable portfolio standards. (Flanagan, Hills 26; Murotake, Hills 32; LeBrun, Hills 32; Cataldo, Dist 6: Science, Technology and Energy)

HB 235, relative to obstruction of traffic on certain highways. (Ladd, Graf 4: Municipal and County Government)

HB 236, relative to child support and allowable child care expenses. (Webb, Rock 6; Oligny, Rock 34; Flanagan, Hills 26; Reagan, Dist 17; Birdsell, Dist 19: Children and Family Law)

HB 237, requiring vocational education centers to prioritize science, technology, engineering, and mathematics curricula as a condition for funding. (Schroadter, Rock 17: Education)

HB 238, relative to the energy efficiency implementation plan. (Mann, Ches 2; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 239-FN-A, establishing a statutory commission to study the creation of a state retirement security program and making an appropriation therefor. (Danielson, Hills 7; Cohen, Hills 30; Bradley, Dist 3; Feltes, Dist 15: Finance)

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. (Duarte, Rock 2; Spillane, Rock 2; Tamburello, Rock 5; Pitre, Straf 2; Hill, Merr 3; Rappaport, Coos 1; McLean, Hills 15; Lachance, Hills 8: Criminal Justice and Public Safety)

HB 241-FN, prohibiting driving while holding an animal in the driver's seat. (Richardson, Coos 4: Transportation)

HB 242, relative to the statewide improvement and assessment program. (Ladd, Graf 4; Grenier, Sull 7: Education)

HB 243, changing the definitions of "focus school" and "priority school" in the school performance and accountability law. (Ladd, Graf 4: Education)

HB 244-L, relative to the permissible level of methyl tertiary butyl ether in drinking water. (McConnell, Ches 12; Rappaport, Coos 1; B. Tilton, Ches 12: Environment and Agriculture)

HB 245, establishing a committee to study state and county departments of corrections. (Emerick, Rock 21; C. McGuire, Merr 29; Cushing, Rock 21; F. Rice, Rock 21; Wood, Rock 21; Fuller Clark, Dist 21: Criminal Justice and Public Safety)

HB 246, relative to jury nullification. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Marple, Merr 24; Abramson, Rock 20: Judiciary)

HB 247, prohibiting the assignment and acceptance of recommendations of unauthorized judicial referees. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Tucker, Rock 23; Oligny, Rock 34; W. O'Brien, Hills 5; Baldasaro, Rock 5; C. McGuire, Merr 29; Ulery, Hills 37; Avard, Dist 12; Reagan, Dist 17; Cataldo, Dist 6: Judiciary)

HB 248, directing the university system of New Hampshire to conduct a study of the effects of prolonged human consumption of and exposure to methyl tertiary butyl ether (MTBE). (McConnell, Ches 12; B. Tilton, Ches 12: Environment and Agriculture)

HB 249, relative to the award of alimony and the enforcement of orders under RSA 458. (Abrami, Rock 19; Oligny, Rock 34; Flanagan, Hills 26: Children and Family Law)

HB 250, relative to requirements for perambulation of town lines. (Crawford, Carr 4; Bradley, Dist 3; Birdsell, Dist 19: Municipal and County Government)

HB 251-FN, excluding circumcision from the state Medicaid plan. (Murphy, Hills 7: Commerce and Consumer Affairs)

HB 252, relative to the divestiture of electrical generation facilities. (Hoell, Merr 23; Itse, Rock 10; Martin, Merr 23; Kuch, Merr 23: Science, Technology and Energy)

HB 253, relative to the requirements for filing a charter school application. (Frazer, Merr 13; Gile, Merr 27; Gorman, Hills 31; Myler, Merr 10; Porter, Hills 1; Feltes, Dist 15: Education)

HB 254, relative to exceptions to restrictions on boating. (Byron, Hills 20: Resources, Recreation and Development)

HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense. (Harvey, Hills 29; Welch, Rock 13; Cushing, Rock 21; Berch, Ches 1; Carson, Dist 14; Reagan, Dist 17; Fuller Clark, Dist 21; Soucy, Dist 18: Criminal Justice and Public Safety)

HB 256, relative to automobile insurance statements of residency. (J. Belanger, Hills 27; Carson, Dist 14: Commerce and Consumer Affairs)

HB 257, relative to amending municipal charters. (P. Long, Hills 10: Municipal and County Government)

HB 258-FN-L, relative to fees for preparing motor vehicle registration documents. (P. Long, Hills 10: Ways and Means)

HB 259, relative to the reporting date of the economic development strategy and plan. (Kaen, Straf 5: Resources, Recreation and Development)

HB 260, relative to the definition of antique motor vehicle or motorcycle. (D. McGuire, Merr 21; True, Rock 4; T. Walsh, Merr 24; Reagan, Dist 17: Transportation)

HB 261, relative to disbursements of school building aid grant payments. (Cahill, Rock 17; Bixby, Straf 17; Ratzki, Merr 1; Mullen, Straf 1; Ley, Ches 9; Fuller Clark, Dist 21; Watters, Dist 4: Finance)

HB 262, relative to criteria for classification as a tier III sex offender. (Robertson, Ches 6; Spang, Straf 6; C. Chase, Ches 8; Emerson, Ches 11: Criminal Justice and Public Safety)

HB 263, prohibiting residency restrictions on sex offenders. (Robertson, Ches 6; C. Chase, Ches 8; Hirsch, Merr 6; Frazer, Merr 13; Emerson, Ches 11: Criminal Justice and Public Safety)

HB 264, prohibiting mortgage lenders from considering child support obligations as part of the mortgage application process. (Oligny, Rock 34; DeLemus, Straf 11; Itse, Rock 10; Hoell, Merr 23; Hill, Merr 3; Ingbretson, Graf 15; Avard, Dist 12: Commerce and Consumer Affairs)

RECESS

(Rep. Flanagan in the Chair)

RESOLUTION

Rep. Ladd offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 265 through 284 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 265, relative to moneys allocated for child support. (Brewster, Merr 21: Children and Family Law)

HB 266, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions. (Brewster, Merr 21: Children and Family Law)

HB 267-FN, requiring employers to verify an employee's eligibility to work in the United States. (Duarte, Rock 2; Tamburello, Rock 5; Rappaport, Coos 1; Pitre, Straf 2; Spillane, Rock 2; Reagan, Dist 17: Labor, Industrial and Rehabilitative Services)

HB 268, establishing a committee to study the adoption of low-impact housing development standards by the department of environmental services. (Butler, Carr 7; Watters, Dist 4; Fuller Clark, Dist 21: Municipal and County Government)

HB 269, allowing a landlord to collect first and last month's rent in addition to a security deposit. (Duarte, Rock 2; Tucker, Rock 23; Spillane, Rock 2; Tamburello, Rock 5; Pitre, Straf 2; Hill, Merr 3; Lachance, Hills 8; Reagan, Dist 17; Boutin, Dist 16: Judiciary)

HB 270, granting immunity from criminal prosecution to certain persons involved in a drug or alcohol related emergency. (Bouldin, Hills 12; Edwards, Hills 11; Herbert, Hills 43; Hoell, Merr 23: Criminal Justice and Public Safety)

HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses. (Bouldin, Hills 12; Herbert, Hills 43; Hoelzel, Rock 3; Burt, Hills 39; Luneau, Merr 10; Frazer, Merr 13; Hatch, Coos 6; Hannon, Straf 25; Goulette, Hills 23; Spillane, Rock 2; Edwards, Hills 11; Hoell, Merr 23; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

HB 272, designating the Ham Branch watershed in Easton as a protected river and exempting the Ham Branch watershed from the comprehensive shoreland protection act. (Ford, Graf 3; R. Brown, Graf 2; Woodburn, Dist 1: Resources, Recreation and Development)

HB 273, relative to the rights of inhabitants and their political choice. (Marple, Merr 24; L. Christiansen, Hills 37: State-Federal Relations and Veterans Affairs)

HB 274, relative to the sovereignty of the state. (Marple, Merr 24; L. Christiansen, Hills 37: State-Federal Relations and Veterans Affairs)

HB 275, relative to the encroachment of a town cemetery on state-owned land. (Coffey, Hills 25; Parison, Hills 25: Municipal and County Government)

HB 276, providing that school districts shall not be required to adopt the common core standards. (Ladd, Graf 4; Reagan, Dist 17: Education)

HB 277, relative to the policy for acceptance of grants by county conventions. (Comeau, Carr 5; Avellani, Carr 5; Cordelli, Carr 4; F. McCarthy, Carr 2: Municipal and County Government)

HB 278, relative to town clerk fees for fill and dredge permit applications. (Danielson, Hills 7: Ways and Means)

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire. (Gidge, Hills 33; Guerette, Hills 33; F. Rice, Rock 21; Avard, Dist 12; Fuller Clark, Dist 21: Executive Departments and Administration)

HB 280, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans. (Baldasaro, Rock 5: Transportation)

HB 281, defining "exotic aquatic species of wildlife" and relative to the duties of the exotic aquatic weeds and species committee. (Gottling, Sull 2; C. Christensen, Hills 21; Suzanne Smith, Graf 8; Grenier, Sull 7; Spang, Straf 6; Bradley, Dist 3; Little, Dist 8; Fuller Clark, Dist 21: Resources, Recreation and Development)

HB 282, relative to removal or impoundment of a vehicle. (Tholl, Coos 5; Welch, Rock 13: Criminal Justice and Public Safety)

HB 283, requiring school districts to establish a policy permitting a pupil's parent or legal guardian to observe his or her classes. (Jones, Straf 24; Cordelli, Carr 4; Hannon, Straf 25; Ferreira, Hills 28; Moore, Hills 21; Sylvia, Belk 6; Schroadter, Rock 17; Cataldo, Dist 6; Reagan, Dist 17; Avard, Dist 12: Education)

HB 284, relative to motor vehicle franchises. (Hunt, Ches 11; Reagan, Dist 17: Commerce and Consumer Affairs)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 285 through 342 and Constitutional Amendment Concurrent Resolutions shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF HOUSE BILLS AND CACRS

First, second reading and referral

HB 285, relative to discussion with legal counsel under the right-to-know law. (Bickford, Straf 3: Judiciary)

HB 286, relative to permits issued by building inspectors. (Bickford, Straf 3: Executive Departments and Administration)

HB 287, allowing citizens to record by audio or video a traffic stop by law enforcement officers. (Bickford, Straf 3; Burt, Hills 39: Criminal Justice and Public Safety)

HB 288-L, relative to the code for energy conservation in new building construction. (Groen, Straf 10; R. Gordon, Rock 35: Municipal and County Government)

HB 289, relative to the content of annual town reports. (Mann, Ches 2: Municipal and County Government)

HB 290, relative to the acceptance of risk in outdoor recreational activities. (R. Brown, Graf 2; Rideout, Coos 7; Estevez, Hills 37; Woodburn, Dist 1; Fuller Clark, Dist 21: Judiciary)

HB 291, establishing a committee to study modernization of the energy grid in New Hampshire. (Shepardson, Ches 10; Borden, Rock 24; Murotake, Hills 32; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 292, expanding the good Samaritan law to engineers and architects. (Chandler, Carr 1; Berch, Ches 1; Abrami, Rock 19; Wallner, Merr 10; Lovejoy, Rock 36; Ebel, Merr 5; Fuller Clark, Dist 21: Judiciary)

HB 293, relative to the renewal or modification of an alimony order. (Kellogg, Rock 14: Children and Family Law)

HB 294, establishing a commission to develop a strategic plan for New Hampshire. (Cilley, Straf 4; Kidder, Merr 5; Sherman, Rock 24; Leishman, Hills 24; Carson, Dist 14; Feltes, Dist 15; Fuller Clark, Dist 21: Executive Departments and Administration)

HB 295, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities. (Cheney, Straf 17; Varney, Belk 5; B. Griffin, Hills 6; Fraser, Belk 1; Mullen, Straf 1; Knowles, Straf 12: Municipal and County Government)

HB 296, relative to a named insured of a life insurance policy. (Balcom, Hills 21: Commerce and Consumer Affairs)

HB 297, protecting individual customer data from disclosure by a public utility. (Kurk, Hills 2; Borden, Rock 24; Bradley, Dist 3: Science, Technology and Energy)

HB 298, relative to the seasons for taking game animals and game birds with the use of bait. (Burt, Hills 39; Spillane, Rock 2; Rideout, Coos 7; Parent, Merr 26: Fish and Game and Marine Resources)

HB 299, prohibiting voting by the house of representatives for the speaker of the house on organizational convening day to be by secret ballot. (Burt, Hills 39; Rideout, Coos 7: Legislative Administration)

HB 300, requiring state employees and state public officials to obtain prior permission to attend meetings and hearings of the general court. (Brewster, Merr 21: Legislative Administration)

HB 301, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education. (Ferreira, Hills 28; Seidel, Hills 28; Avard, Dist 12: Education)

HB 302, requiring a public hearing prior to the submission of a grant application by the department of education. (Ferreira, Hills 28; Seidel, Hills 28; Avard, Dist 12: Education)

HB 303, relative to statewide assessment standards and relative to parental consent for psychological services to students. (Ferreira, Hills 28; Seidel, Hills 28; Avard, Dist 12: Education)

HB 304, establishing a committee to study public access to political campaign information. (Hoelzel, Rock 3; J. Belanger, Hills 27; Gray, Straf 8; Cote, Hills 31; Moody, Rock 17; Marston, Hills 19; Reagan, Dist 17; Pierce, Dist 5; Feltes, Dist 15: Election Law)

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system. (P. Long, Hills 10: Children and Family Law)

HB 306, relative to membership of the wetlands council and the water council. (Gottling, Sull 2; Spang, Straf 6: Resources, Recreation and Development)

HB 307, relative to the membership and duties of the legislative youth advisory council. (Hill, Merr 3: Children and Family Law)

HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act. (Baroody, Hills 43; DiSilvestro, Hills 9: Commerce and Consumer Affairs)

HB 309, permitting landlords to remove tenants' property in certain circumstances. (Groen, Straf 10; R. Gordon, Rock 35: Judiciary)

HB 310, relative to reporting the destruction of motor vehicles. (C. McGuire, Merr 29; Baldasaro, Rock 5: Transportation)

HB 311, relative to withdrawal of candidates. (Simmons, Hills 17; McLean, Hills 15; Lachance, Hills 8; Rouillard, Hills 6: Election Law)

HB 312, relative to registration of voters. (Pitre, Straf 2: Election Law)

HB 313, relative to municipal elections. (Pitre, Straf 2: Municipal and County Government)

HB 314, establishing a commission to study the charitable status of certain nonprofit organizations for purposes of state and local taxation. (P. Brown, Hills 31: Ways and Means)

HB 315, relative to termination of tenancy. (Beaudoin, Straf 9; Cook, Rock 11; Gould, Hills 7: Judiciary)

HB 316, establishing a committee to study offshore wind energy production. (Cushing, Rock 21: Science, Technology and Energy)

HB 317, relative to contracts between schools and school districts. (Eastman, Hills 28: Education)

HB 318, establishing a committee to study state laws and rules affecting New Hampshire businesses. (Infantine, Hills 13: Commerce and Consumer Affairs)

HB 319, establishing a committee to study effects of making changes to certain New Hampshire tax laws. (Infantine, Hills 13; Lachance, Hills 8: Ways and Means)

HB 320, relative to removal of certain campaign materials at the polling place. (Infantine, Hills 13; Gagne, Hills 13; Lachance, Hills 8: Election Law)

HB 321, establishing a committee to study improvements to the Elizabeth Meader Hanson site in Dover. (Cheney, Straf 17; Leeman, Straf 23; Mullen, Straf 1; Watters, Dist 4: Public Works and Highways)

HB 322, relative to protection of personally identifiable data by the department of education. (Cordelli, Carr 4; Kurk, Hills 2; Harris, Rock 9; Boehm, Hills 20; Kappler, Rock 3; Grenier, Sull 7; Reagan, Dist 17: Education)

HB 323, relative to the administration of the statewide assessment program. (Ladd, Graf 4; Myler, Merr 10; Grenier, Sull 7; Gile, Merr 27: Education)

HB 324, relative to membership in a union. (Pitre, Straf 2: Labor, Industrial and Rehabilitative Services)

HB 325, relative to the release of the names of winners of multi-state lotteries. (Richardson, Coos 4; Rideout, Coos 7: Commerce and Consumer Affairs)

HB 326, relative to the membership of the board of registration of medical technicians. (Sherman, Rock 24: Executive Departments and Administration)

HB 327, relative to investment crowdfunding. (Tucker, Rock 23: Commerce and Consumer Affairs)

HB 328, relative to delivery of absentee ballots. (Marston, Hills 19; Lachance, Hills 8; Mullen, Straf 1; F. Rice, Rock 21: Election Law)

HB 329, relative to a construction project at the state veterans cemetery. (F. Tilton, Belk 3; Bradley, Dist 3: Public Works and Highways)

HB 330, establishing an oversight commission for medical cost transparency. (McMahon, Rock 7; Sherman, Rock 24; S. Schmidt, Carr 6; MacKay, Merr 14; LeBrun, Hills 32; Nelson, Carr 5; Kotowski, Merr 24; Bradley, Dist 3; Feltes, Dist 15; Reagan, Dist 17; Fuller Clark, Dist 21: Health, Human Services and Elderly Affairs)

HB 331, relative to absences among selectmen on election day. (D. McGuire, Merr 21; J. Belanger, Hills 27; Reagan, Dist 17: Municipal and County Government)

HB 332, relative to school district policy regarding objectionable course material. (V. Sullivan, Hills 16; Infantine, Hills 13; Cordelli, Carr 4; Lachance, Hills 8; D. Brown, Graf 16: Education)

HB 333, establishing a process for review and reporting of dedicated funds. (Umberger, Carr 2; Weyler, Rock 13; L. Ober, Hills 37; Hatch, Coos 6; McClarren, Hills 29; R. Ober, Hills 37; Fuller Clark, Dist 21: Finance)

HB 334, relative to the sale of personally identifiable information by Internet service providers. (Ratzki, Merr 1: Science, Technology and Energy)

HB 335, relative to the disposition of rangeways. (Wright, Carr 8: Municipal and County Government)

HB 336, relative to seasons for hunting by crossbow. (Webb, Rock 6; Hopper, Hills 2; Duarte, Rock 2; Spillane, Rock 2; Lachance, Hills 8; Itse, Rock 10; McNamara, Hills 38; Parent, Merr 26; Cook, Rock 11; Potucek, Rock 6; Watters, Dist 4: Fish and Game and Marine Resources)

HB 337, relative to the patients' bill of rights. (C. McGuire, Merr 29; D. McGuire, Merr 21; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

HB 338, relative to nomination of candidates for United States senator. (Marple, Merr 24; DeLemus, Straf 11; D. McGuire, Merr 21; L. Christiansen, Hills 37; Abramson, Rock 20: Legislative Administration)

HB 339, relative to transfer station income. (Pitre, Straf 2: Municipal and County Government)

HB 340, relative to appointing undeclared voters as inspectors of election. (P. Long, Hills 10: Election Law)

HB 341, relative to eligibility in a municipality for the property tax for the disabled. (P. Long, Hills 10: Municipal and County Government)

HB 342, relative to property owners' consent for smart meter gateway devices. (Peterson, Hills 7; Fromuth, Hills 7; Murphy, Hills 7; Eaton, Ches 3: Science, Technology and Energy)

CACR 7, relating to funding substance abuse treatment. Providing that all moneys received for the substance abuse treatment fund under RSA 172:14 and all the interest received on such moneys shall, after deducting the necessary costs of administration, be appropriated and used exclusively for the substance abuse treatment fund. Such moneys shall be used exclusively for the purpose of the substance abuse treatment fund and shall not be transferred or diverted to any other purpose. (P. Brown, Hills 31: Finance)

CACR 8, relating to the nomination and appointment of officers. Providing that judicial officers shall be confirmed by the legislature. (Hoell, Merr 23; Itse, Rock 10; Tucker, Rock 23; Ingbretson, Graf 15; Sylvia, Belk 6; Avard, Dist 12: Judiciary)

CACR 9, relating to judgment on impeachment. Providing that persons impeached by the senate forfeit their state pensions and state-funded insurance. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Tucker, Rock 23; Seidel, Hills 28; K. Rice, Hills 37: Judiciary)

RECESS

(Rep. Prudhomme-O'Brien in the Chair)

RESOLUTION

Speaker Jasper offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 343 through 362 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 343, requiring certain charitable nonprofit corporations to provide certain information relative to board members. (Rosenwald, Hills 30; L. Ober, Hills 37; Reagan, Dist 17; Lasky, Dist 13; Fuller Clark, Dist 21: Commerce and Consumer Affairs)

HB 344, relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts. (Sterling, Ches 14; Carson, Dist 14; Stiles, Dist 24: Municipal and County Government)

HB 345, requiring utilities to provide data to consumers explaining rates and rate increases. (Rogers, Merr 28; Baldasaro, Rock 5; Cushing, Rock 21: Science, Technology and Energy)

HB 346, relative to criminal history records checks for school employees and volunteers. (O'Hearne, Sull 3; Gagnon, Sull 5; Cloutier, Sull 10; Converse, Sull 4: Education)

HB 347, relative to payment of wages of certain hourly school district employees. (Myler, Merr 10: Labor, Industrial and Rehabilitative Services)

HB 348, allowing municipalities to adopt a property tax credit for elderly homeowners for the extent their tax bill exceeds 10 percent of income. (Myler, Merr 10; Karrick, Merr 25; Luneau, Merr 10: Municipal and County Government)

HB 349, relative to state buffers for projects requiring wetland permits. (Spang, Straf 6; Oxenham, Sull 1; Gottling, Sull 2; Beaulieu, Hills 45; Fuller Clark, Dist 21; Watters, Dist 4: Resources, Recreation and Development)

HB 350, establishing a commission to study the impacts of the property tax on New Hampshire's residents, businesses, municipalities, and the economy. (Spang, Straf 6; Burton, Straf 6; Fuller Clark, Dist 21: Ways and Means)

HB 351, exempting historically significant vehicles from emission control requirements. (Packard, Rock 5; T. Walsh, Merr 24: Transportation)

HB 352, relative to violations of constitutional rights. (Marple, Merr 24; Ingbretson, Graf 15; L. Christiansen, Hills 37; Brewster, Merr 21: Judiciary)

HB 353, relative to the governance of condominium unit owners' associations. (Williams, Hills 4; Almy, Graf 13; LeBrun, Hills 32; Cataldo, Dist 6: Commerce and Consumer Affairs)

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration. (Schroadter, Rock 17; Spang, Straf 6; Tucker, Rock 23; Kaen, Straf 5; Prescott, Dist 23; Fuller Clark, Dist 21; Watters, Dist 4; Stiles, Dist 24: Fish and Game and Marine Resources)

HB 355, relative to pre-election tests of ballot counting devices. (P. Long, Hills 10: Election Law)

HB 356, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters. (Tamburello, Rock 5; Hoell, Merr 23; Jones, Straf 24; Avard, Dist 12: Commerce and Consumer Affairs)

HB 357, relative to notice of change of name or address on a driver's license. (Myler, Merr 10: Transportation)

HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers. (Williams, Hills 4: Commerce and Consumer Affairs)

HB 359, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction. (F. McCarthy, Carr 2; Cordelli, Carr 4; Buco, Carr 2; Avellani, Carr 5; Crawford, Carr 4; Bradley, Dist 3: Ways and Means)

HB 360, relative to public utilities that fail to restore service within 3 days. (Ulery, Hills 37; D. McGuire, Merr 21: Science, Technology and Energy)

HB 361, relative to the definition of "employee". (Infantine, Hills 13: Labor, Industrial and Rehabilitative Services)

HB 362, relative to the reliability of the electric grid. (Murotake, Hills 32; McLean, Hills 15; Shepardson, Ches 10; Eastman, Hills 28; Seidel, Hills 28; Danielson, Hills 7: Science, Technology and Energy)

RECESS

(Rep. Weber in the Chair)

RESOLUTION

Rep. Fields offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 377 through 385 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 377, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer. (Baldasaro, Rock 5; Hogan, Hills 34; Twombly, Hills 34; Tamburello, Rock 5; Theberge, Coos 3; Rideout, Coos 7; Notter, Hills 21; Itse, Rock 10: Executive Departments and Administration)

HB 378, relative to shared residential responsibility and establishing a commission to study child support and related child care issues. (Bickford, Straf 3; Itse, Rock 10: Children and Family Law)

HB 379, establishing a commission to study the effects of ocean acidification on commercially harvested species. (Borden, Rock 24; Cushing, Rock 21; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 380, relative to investigations of child day care agencies. (Burt, Hills 39; K. Rice, Hills 37; Rappaport, Coos 1; Fromuth, Hills 7; Parent, Merr 26; Abramson, Rock 20; Bridge, Sull 6; Marston, Hills 19; Martin, Merr 23: Children and Family Law)

HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license. (McConkey, Carr 3; Chandler, Carr 1; Umberger, Carr 2; Bradley, Dist 3: Commerce and Consumer Affairs)

HB 382, establishing a committee to study facilitating private investment in energy efficiency and renewable energy. (Borden, Rock 24; Barry, Hills 21; Wallner, Merr 10; Parison, Hills 25; Almy, Graf 13; Hunt, Ches 11; Little, Dist 8; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 383, relative to the immunization/vaccination registry. (Kurk, Hills 2; Cordelli, Carr 4; Sanborn, Dist 9: Health, Human Services and Elderly Affairs)
HB 384, establishing a committee to study the feasibility of privatizing the New Hampshire toll system. (Barry, Hills 21; C. Christensen, Hills 21: Public Works and Highways)
HB 385-FN, relative to special motorcycle number plates for disabled veterans. (Rollins, Sull 6; White, Graf 13; Notter, Hills 21; Baldasaro, Rock 5; Little, Dist 8: Transportation)

RECESS

(Rep. Butler in the Chair)

RESOLUTION

Rep. O'Connor offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 363 through 376, House Address numbered 1, House Concurrent Resolutions numbered 3 and 4, House Resolutions numbered 7 and 8 and Constitutional Amendment Concurrent Resolution numbered 10 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS, HA, HCRS, HRS AND CACR

First, second reading and referral

HB 363, relative to Lyme disease awareness. (P. Brown, Hills 31; Emerson, Ches 11; Daniels, Dist 11: Executive Departments and Administration)
HB 364, relative to renewal fees administered by the office of professional licensing. (Abrami, Rock 19; C. McGuire, Merr 29: Executive Departments and Administration)
HB 365, prohibiting an employer from using credit history in employment decisions. (Cushing, Rock 21; Rogers, Merr 28; Converse, Sull 4; White, Graf 13; O'Hearne, Sull 3; Cilley, Straf 4; Ley, Ches 9; Goley, Hills 8; Mangipudi, Hills 35; P. Brown, Hills 31; Cahill; Rock 17; Lasky, Dist 13; Fuller Clark, Dist 21; Feltes, Dist 15: Labor, Industrial and Rehabilitative Services)
HB 366, relative to the alcohol percentage used to classify beverages. (Hunt, Ches 11: Commerce and Consumer Affairs)
HB 367-FN, redefining simple assault. (Murphy, Hills 7; Itse, Rock 10; C. McGuire, Merr 29; Beaudoin, Straf 9; Souza, Hills 43: Criminal Justice and Public Safety)
HB 368, relative to third party review required by the planning board. (Butler, Carr 7; Watters, Dist 4: Municipal and County Government)
HB 369-FN-A-L, establishing a defined contribution retirement plan for public employees. (C. McGuire, Merr 29; Peterson, Hills 7; Murphy, Hills 7; Fromuth, Hills 7; Hill, Merr 3; Reagan, Dist 17: Special Committee on Public Employee Pension Plans)
HB 370-L, enabling counties and municipalities to establish minimum wage rates. (Robertson, Ches 6: Labor, Industrial and Rehabilitative Services)
HB 371, relative to assessing the consequences of the Citizens United decision. (Elliott, Rock 8; L. Christiansen, Hills 37; Grenier, Sull 7; Kidder, Merr 5; Bixby, Straf 17; Cooney, Graf 8; Fuller Clark, Dist 21: Legislative Administration)
HB 372, relative to certain private employers under workers' compensation. (Haefner, Hills 37; Sad, Ches 1: Environment and Agriculture)
HB 373, establishing the red-tailed hawk as the New Hampshire state raptor. (Cushing, Rock 21; Borden, Rock 24; Cahill, Rock 17; Horrigan, Straf 6; Pantelakos, Rock 25; McMahon, Rock 7; Fuller Clark, Dist 21: Environment and Agriculture)
HB 374, permitting certain vehicles to proceed through an intersection after stopping for a red light. (Beaudoin, Straf 9; LeBrun, Hills 32; Spillane, Rock 2; D. Thomas, Rock 5; Gould, Hills 7: Transportation)
HB 375, relative to providing information about effective forms of child discipline to parents. (Berrien, Rock 18; Borden, Rock 24; Heffron, Rock 18; C. Chase, Ches 8; Shepardson, Ches 10; DeSimone, Rock 14; Gargasz, Hills 27: Education)
HB 376-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under

the state aid grant program. (Buco, Carr 2; Umberger, Carr 2; Leishman, Hills 24; Ames, Ches 9; Pantelakos, Rock 25; Gottling, Sull 2; Danielson, Hills 7; Ebel, Merr 5; Bradley, Dist 3; Fuller Clark, Dist 21: Finance)

HA 1, an Address for the removal of certain state officials in the department of education. (L. Christiansen, Hills 37: Education)

HCR 3, applying to Congress to call a convention of states under the United States Constitution. (Edelblut, Hills 38; Moore, Hills 21; Itse, Rock 10; Daniels, Dist 11: Legislative Administration)

HCR 4, urging Congress to adopt a policy ending the use of a backward American Flag on military uniforms. (Baldasaro, Rock 5; Tamburello, Rock 5; Massimilla, Graf 1; Theberge, Coos 3; Hogan, Hills 34; LeBrun, Hills 32; F. McCarthy, Carr 2; Weyler, Rock 13; Itse, Rock 10: State-Federal Relations and Veterans Affairs)

HR 7, directing the house of representatives to investigate whether grounds exist to impeach Judge Jacalyn Colburn for her decision in City of Nashua v. William M. Gardner, Secretary of State. (Itse, Rock 10; Bates, Rock 7: Judiciary)

HR 8, commemorating the 50th anniversary of the Social Security Act of 1965. (Horrigan, Straf 6; Emerson, Ches 11: Legislative Administration)

CACR 10, relating to term of office. Providing that beginning with the 2018 general election, there shall be a 4-year term of office for governor. (Ratzki, Merr 1; Cloutier, Sull 10; R. Brown, Graf 2; M. Smith, Straf 6; Karrick, Merr 25; Luneau, Merr 10; Cahill, Rock 17; Bartlett, Merr 19; D'Allesandro, Dist 20; Fuller Clark, Dist 21: Executive Departments and Administration)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 386 through 391 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 386-FN-A, reducing the rate of the business profits tax. (Spillane, Rock 2; Tasker, Rock 2; Duarte, Rock 2; Barnes, Rock 8; Hannon, Straf 25; Moore, Hills 21; C. McGuire, Merr 29; Itse, Rock 10; Schleien, Hills 37; Martin, Merr 23: Ways and Means)

HB 387-FN, relative to motor vehicle inspections. (Spillane, Rock 2; Duarte, Rock 2; Tasker, Rock 2; Baldasaro, Rock 5; Tamburello, Rock 5; Murphy, Hills 7; Webb, Rock 6; Moore, Hills 21; Schleien, Hills 37; C. McGuire, Merr 29; Martin, Merr 23: Transportation)

HB 388-FN-A, establishing university number plates. (S. Sweeney, Hills 23; Danielson, Hills 7; Hansberry, Hills 35; Byron, Hills 20; Beaudoin, Straf 9; Ammon, Hills 40; Goulette, Hills 23; Biggie, Hills 23; Horrigan, Straf 6: Transportation)

HB 389-FN, repealing the certificate of need moratorium. (Tucker, Rock 23; Seidel, Hills 28; Kappler, Rock 3; Itse, Rock 10; Simmons, Hills 17; Baldasaro, Rock 5; C. McGuire, Merr 29; Rideout, Coos 7; Hill, Merr 3: Health, Human Services and Elderly Affairs)

HB 390-FN, relative to stop loss insurance. (Butler, Carr 7; Hunt, Ches 11: Commerce and Consumer Affairs)

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones. (Introne, Rock 5; Rappaport, Coos 1; Devine, Rock 4; Flanders, Belk 3; Richardson, Coos 4: Science, Technology and Energy)

RECESS

(Rep. Weber in the Chair)

RESOLUTION

Rep. Gottling offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 392 through 405 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 392-FN, relative to the minimum hourly wage. (White, Graf 13; Horrigan, Straf 6; Moffett, Merr 9; Cahill, Rock 17: Labor, Industrial and Rehabilitative Services)

HB 393-FN, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event. (Moody, Rock 17; Cushing, Rock 21; Borden, Rock 24; Emerson, Ches 11; Hoelzel, Rock 3; C. Chase, Ches 8; Fuller Clark, Dist 21: Election Law)

HB 394-FN, establishing an industrial heritage program within the department of cultural resources. (Cushing, Rock 21; Fuller Clark, Dist 21: Resources, Recreation and Development)

HB 395-FN, relative to electronic toll collection. (Webb, Rock 6; Notter, Hills 21; C. Christensen, Hills 21; Abramson, Rock 20; Leeman, Straf 23; Carson, Dist 14: Transportation)

HB 396-FN, relative to part-time employment by retirees in the New Hampshire retirement system. (Tholl, Coos 5; Hinch, Hills 21; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 397, relative to the duties of public servants. (Marple, Merr 24; L. Christiansen, Hills 37: Municipal and County Government)

HB 398-FN, relative to the acceptance of documents notarized by a justice of the peace. (Ulery, Hills 37: Judiciary)

HB 399-FN, establishing a force of state capitol security officers with the authority to carry firearms. (Baldasaro, Rock 5; Rideout, Coos 7; Gidge, Hills 33; Tamburello, Rock 5; Itse, Rock 10; Hogan, Hills 34; Twombly, Hills 34; LeBrun, Hills 32; Avard, Dist 12; Cataldo, Dist 6: Legislative Administration)

HB 400-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives. (Marple, Merr 24; L. Christiansen, Hills 37: Legislative Administration)

HB 401-FN, requiring the use of cloud computing technology by state agencies. (Baber, Straf 14: Executive Departments and Administration)

HB 402-FN, establishing the Franklin Partin right-to-work act. (W. O'Brien, Hills 5; Hoell, Merr 23: Labor, Industrial and Rehabilitative Services)

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities. (Souza, Hills 43; Kappler, Rock 3; Notter, Hills 21; Gould, Hills 7; Groen, Straf 10; Hoell, Merr 23; Cordelli, Carr 4; Itse, Rock 10; Baldasaro, Rock 5; Wuelper, Straf 3; Birdsell, Dist 19; Daniels, Dist 11; Avard, Dist 12; Cataldo, Dist 6; Carson, Dist 14: Judiciary)

HB 404-FN, relative to showing a ballot. (Hoell, Merr 23; Burt, Hills 39; Rideout, Coos 7; Itse, Rock 10: Election Law)

HB 405-FN, requiring the department of health and human services to license supervised visitation centers. (Oligny, Rock 34; Verschueren, Straf 13; Pantelakos, Rock 25; Abrami, Rock 19; Welch, Rock 13; K. Rice, Hills 37: Children and Family Law)

RECESS

(Rep. Flanagan in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 406 through 425 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 406, relative to the date of the state primary election. (J. Sweeney, Rock 8; Simmons, Hills 17; Avellani, Carr 5; Spillane, Rock 2; Howe, Rock 13; Zaricki, Hills 6; Birdsell, Dist 19: Election Law)

HB 407, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Hoell, Merr 23; Burt, Hills 39; Gionet, Graf 5; Spang, Straf 6; C. McGuire, Merr 29; Fromuth, Hills 7; Lachance, Hills 8; Abramson, Rock 20; Sylvia, Belk 6; Theberge, Coos 3; Goulette, Hills 23; J. Belanger, Hills 27; Coffey, Hills 25: Municipal and County Government)

HB 408, making a technical correction relative to fees for chiropractors. (C. McGuire, Merr 29: Executive Departments and Administration)

HB 409, banning corn-based ethanol as an additive to gasoline in New Hampshire. (Pitre, Straf 2: Science, Technology and Energy)

HB 410, relative to the uniform anatomical gift act. (D. McGuire, Merr 21: Executive Departments and Administration)

HB 411, prohibiting the payment of subminimum wages to persons with disabilities. (Ley, Ches 9; Emerick, Rock 21; Cahill, Rock 17; Fuller Clark, Dist 21: Labor, Industrial and Rehabilitative Services)

HB 412, relative to reporting of corrective action implementation of audit findings by entities subject to an audit by the legislative budget assistant. (Oligny, Rock 34; Weyler, Rock 13; Major, Rock 14; Pantelakos, Rock 25; P. Schmidt, Straf 19; Flanagan, Hills 26; Abrami, Rock 19; K. Rice, Hills 37; Seidel, Hills 28; Avard, Dist 12; Carson, Dist 14: Finance)

HB 413-FN-A, establishing the governing board of polysomnographic technologists within the allied health professionals. (P. Schmidt, Straf 19: Executive Departments and Administration)

HB 414-FN, relative to idling by commuter rail locomotives. (Major, Rock 14; DeSimone, Rock 14; Friel, Rock 14; Kellogg, Rock 14: Transportation)

HB 415, limiting liability of out-of–state emergency services entities responding to incidents in New Hampshire. (White, Graf 13; Rollins, Sull 6; Ladd, Graf 4: Judiciary)

HB 416-L, relative to compensation for members of the Coos county convention. (Theberge, Coos 3; Rappaport, Coos 1; Rideout, Coos 7; Y. Thomas, Coos 3; Richardson, Coos 4; Massimilla, Graf 1; Cloutier, Sull 10; Gorman, Hills 31: Municipal and County Government)

HB 417, relative to reimbursement of fees and out-of-pocket expenses associated with estate administration. (Webb, Rock 6; DeLemus, Straf 11; Simmons, Hills 17; Prudhomme-O'Brien, Rock 6; Infantine, Hills 13; Duarte, Rock 2; Martin, Merr 23; Abramson, Rock 20: Judiciary)

HB 418, relative to waiver of rights to inherited property. (Webb, Rock 6; Richardson, Coos 4; Kotowski, Merr 24; Shaw, Hills 16; Pantelakos, Rock 25; Lachance, Hills 8; Emerick, Rock 21; Ferrante, Rock 6; Grenier, Sull 7; Cardon, Rock 6; Tamburello, Rock 5; Martin, Merr 23; Cook, Rock 11; Prescott, Dist 23; Carson, Dist 14; Reagan, Dist 17; Boutin, Dist 16; Stiles, Dist 24: Judiciary)

HB 419, relative to use of insurance scores for rating policies. (Webb, Rock 6; Baldasaro, Rock 5; Simmons, Hills 17; Martin, Merr 23; Potucek, Rock 6; Tucker, Rock 23; D. Thomas, Rock 5; Carson, Dist 14; Birdsell, Dist 19; Cataldo, Dist 6; Reagan, Dist 17: Commerce)

HB 420-FN, relative to limited driving privileges after revocation for certain financial obligations. (Oligny, Rock 34; Pantelakos, Rock 25; Flanagan, Hills 26; K. Rice, Hills 37; P. Schmidt, Straf 19; Abrami, Rock 19; Welch, Rock 13; Avard, Dist 12; Birdsell, Dist 19: Transportation)

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes. (Moynihan, Coos 2; Gottling, Sull 2; Gagnon, Sull 5: Environment and Agriculture)

HB 422-FN, relative to the signing authority of physician assistants. (Sherman, Rock 24; McMahon, Rock 7; Sytek, Rock 8; P. Schmidt, Straf 19; MacKay, Merr 14; Carson, Dist 14; Pierce, Dist 5; Lasky, Dist 13; Fuller Clark, Dist 21: Health, Human Services and Elderly Affairs)

HB 423, designating the bobcat as the New Hampshire state wildcat. (Manley, Hills 3; McNamara, Hills 38; Leishman, Hills 24; Porter, Hills 1: Fish and Game and Marine Resources)

HB 424, relative to the accessibility of assessment materials. (Ladd, Graf 4; Myler, Merr 10; Grenier, Sull 7; Reagan, Dist 17; Carson, Dist 14: Education)

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act. (C. McGuire, Merr 29; P. Schmidt, Straf 19; Sytek, Rock 8; Ladd, Graf 4; Kidder, Merr 5; Reagan, Dist 17; Watters, Dist 4; Cataldo, Dist 6: Executive Departments and Administration)

RECESS

(Rep. Flanagan in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 426 through 445 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 426, relative to the prohibition on the use of mobile electronic devices while driving. (D. McGuire, Merr 21; J. Belanger, Hills 27; Marston, Hills 19; Itse, Rock 10; Baldasaro, Rock 5; Sylvia, Belk 6; LeBrun, Hills 32: Transportation)

HB 427, relative to the definition of the New Hampshire fire code. (Ladd, Graf 4: Executive Departments and Administration)

HB 428, relative to New Hampshire products sold by the liquor commission. (F. Rice, Rock 21; Kaen, Straf 5; Bradley, Dist 3: Commerce and Consumer Affairs)

HB 429, reviving the commission to review and consider alcoholic beverage manufacturing processes and retail sales at manufacturing facilities. (F. Rice, Rock 21; Kaen, Straf 5; Bradley, Dist 3; Sanborn, Dist 9: Commerce and Consumer Affairs)

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans. (F. Rice, Rock 21; F. McCarthy, Carr 2; LeBrun, Hills 32; Martin, Merr 23; Kuch, Merr 23; Bailey, Graf 14; McConnell, Ches 12: Municipal and County Government)

HB 431, relative to the placement of all new elective electric transmission lines in New Hampshire. (Rappaport, Coos 1; Theberge, Coos 3; Ford, Graf 3; Suzanne Smith, Graf 8; Fothergill, Coos 1; Chandler, Carr 1; Duarte, Rock 2; Rideout, Coos 7; Forrester, Dist 2; Cataldo, Dist 6; Reagan, Dist 17; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 432, relative to counting votes. (D. McGuire, Merr 21: Election Law)

HB 433, relative to the state guard. (Itse, Rock 10; Hoell, Merr 23; Baldasaro, Rock 5; Hagan, Rock 4: State-Federal Relations and Veterans Affairs)

HB 434, relative to review of proposed agency administrative rules by standing committees of the general court. (Itse, Rock 10; Hoell, Merr 23; C. McGuire, Merr 29; Tucker, Rock 23; Edelblut, Hills 38; Baldasaro, Rock 5: Legislative Administration)

HB 435, relative to persons held in civil contempt. (Itse, Rock 10; Hoell, Merr 23; C. McGuire, Merr 29; Oligny, Rock 34; Brewster, Merr 21: Judiciary)

HB 436, relative to the penalty for making a false statement in a criminal complaint. (Itse, Rock 10; Hoell, Merr 23; Tasker, Rock 2; Oligny, Rock 34; Avard, Dist 12: Criminal Justice and Public Safety)

HB 437-FN, exempting proprietorships from taxation under the business enterprise tax. (Itse, Rock 10; Hoell, Merr 23; Tucker, Rock 23; W. O'Brien, Hills 5; Abramson, Rock 20: Ways and Means)

HB 438-FN-A, exempting proprietorships from taxation under the business profits tax. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Tucker, Rock 23; W. O'Brien, Hills 5; Abramson, Rock 20; Reagan, Dist 17; Cataldo, Dist 6: Ways and Means)

HB 439, relative to religious societies. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Luther, Belk 3: Ways and Means)

HB 440, establishing private prosecution of criminal proceedings. (Itse, Rock 10; Hoell, Merr 23; DeSimone, Rock 14; W. O'Brien, Hills 5; Sylvia, Belk 6; Avard, Dist 12: Criminal Justice and Public Safety)

HB 441, relative to financial affidavits submitted in hearings regarding child support, property settlement, and alimony. (Itse, Rock 10; Hoell, Merr 23; Oligny, Rock 34; DeSimone, Rock 14; Kappler, Rock 3; Reagan, Dist 17; Cataldo, Dist 6; Avard, Dist 12: Children and Family Law)

HB 442, changing references to "law enforcement officer" to "peace officer" in the Revised Statutes Annotated. (Itse, Rock 10; Hoell, Merr 23; Tasker, Rock 2; Abramson, Rock 20: Criminal Justice and Public Safety)

HB 443, clarifying the equity jurisdiction of the judicial branch family division. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Baldasaro, Rock 5; Kappler, Rock 3; Oligny, Rock 34; Hagan, Rock 4; Weyler, Rock 13; Hansen, Hills 22; K. Rice, Hills 37; Reagan, Dist 17; Cataldo, Dist 6; Avard, Dist 12: Judiciary)

HB 444-L, exempting certain long-term residents from local school taxes. (Hansen, Hills 22: Municipal and County Government)

HB 445, defining poker as a game of skill. (Spillane, Rock 2; Tasker, Rock 2; Duarte, Rock 2; Abramson, Rock 20; Eastman, Hills 28; Bouldin, Hills 12; Itse, Rock 10; Schleien, Hiss 37; Reagan, Dist 17: Ways and Means)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 446 through 505 and 526 through 533, House Concurrent Resolutions numbered 5 through 7, House Resolution numbered 9 and Constitutional Amendment Concurrent Resolutions numbered 11 and 12 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS, HCRS, HR AND CACRS

First, second reading and referral

HB 446, relative to access to investigational drugs, biological products, and devices. (Wright, Carr 8; Jones, Straf 24; Cheney, Straf 17; Hansen, Hills 22; Groen, Straf 10; Rideout, Coos 7; Beaudoin, Straf 9; Reagan, Dist 17: Judiciary)

HB 447, relative to quorums for meetings under the right-to-know law. (Grenier, Sull 7; Irwin, Sull 9; Weber, Ches 1; Kidder, Merr 5; Steven Smith, Sull 11; Woodburn, Dist 1: Judiciary)

HB 448, establishing February 6 as Ronald Reagan Day. (Manning, Rock 8; Doucette, Rock 8; Estevez, Hills 37: Executive Departments and Administration)

HB 449, relative to the duration of child support. (Jones, Straf 24; Cheney, Straf 17; Cordelli, Carr 4; Beaudoin, Straf 9; Hannon, Straf 25; Leeman, Straf 23; Ferreira, Hills 28; Sylvia, Belk 6; Knowles, Straf 12; Cataldo, Dist 6; Reagan, Dist 17; Avard, Dist 12: Children and Family Law)

HB 450, relative to the definition of employee for purposes of workers' compensation and establishing a commission to study and make recommendations for a common definition of employee. (Murphy, Hills 7; D. McGuire, Merr 21; Itse, Rock 10; C. McGuire, Merr 29; Simmons, Hills 17: Labor, Industrial and Rehabilitative Services)

HB 451, relative to local approval of mining permits. (Sterling, Ches 14; Hunt, Ches 11: Municipal and County Government)

HB 452, repealing the governor's authority to declare a state of emergency. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Hannon, Straf 25; D. McGuire, Merr 21; Seaworth, Merr 20; Seidel, Hills 28: Legislative Administration)

HB 453, relative to special number plates for circuit court judges. (O'Hearne, Sull 3; Cloutier, Sull 10: Transportation)

HB 454, relative to the commandant of the veterans' home. (Theberge, Coos 3; Massimilla, Graf 1; Rideout, Coos 7; Baldasaro, Rock 5; F. Rice, Rock 21; Carson, Dist 14; Cataldo, Dist 6: Executive Departments and Administration)

HB 455-FN, relative to the board of managers of the New Hampshire veterans' home. (Theberge, Coos 3; Massimilla, Graf 1; Rideout, Coos 7; Baldasaro, Rock 5; F. Rice, Rock 21; Rollins, Sull 6; Carson, Dist 14; Cataldo, Dist 6: Executive Departments and Administration)

HB 456, relative to appointment of a veterans' ombudsman by the governor. (Theberge, Coos 3; Rideout, Coos 7; Massimilla, Graf 1; Baldasaro, Rock 5; F. Rice, Rock 21; Y. Thomas, Coos 3; Froburg, Coos 3; Rappaport, Coos 1; Gorman, Hills 31; Cataldo, Dist 6; Carson, Dist 14; D'Allesandro, Dist 20: Executive Departments and Administration)

HB 457-FN-A, establishing a nurse practitioner position at the veterans' home and making an appropriation therefor. (Theberge, Coos 3; Massimilla, Graf 1; Rideout, Coos 7; Baldasaro, Rock 5; F. Rice, Rock 21; Rollins, Sull 6; Carson, Dist 14: Executive Departments and Administration)

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Welch, Rock 13; Rogers, Merr 28; Wall, Straf 6; Fuller Clark, Dist 21: Legislative Administration)

HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home. (Theberge, Coos 3; Massimilla, Graf 1; Rideout, Coos 7; Rollins, Sull 6; F. Rice, Rock 21; Baldasaro, Rock 5; Rappaport, Coos 1; Carson, Dist 14; D'Allesandro, Dist 20; Cataldo, Dist 6: Executive Departments and Administration)

HB 460, establishing a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges. (Cloutier, Sull 10; F. Tilton, Belk 3; Ebel, Merr 5; Almy, Graf 13; Ley, Ches 9; Sprague, Straf 18; Pierce, Dist 5: Public Works and Highways)

HB 461, prohibiting the use or application of foreign laws in the state court. (LeBreche, Belk 6; Goulette, Hills 23; Burt, Hills 39; Balcom, Hills 21; Baldasaro, Rock 5; Spillane, Rock 2; Wheeler, Merr 3; Cataldo, Dist 6: Judiciary)

HB 462-FN, repealing an increase in the fuel oil discharge cleanup fund fee. (Spillane, Rock 2; Baldasaro, Rock 5; Marston, Hills 19; Potucek, Rock 6; Abramson, Rock 20; Ferreira, Hills 28; Tamburello, Rock 5; D. Thomas, Rock 5; Schleien, Hills 37; Kellogg, Rock 14; Martin, Merr 23; Reagan, Dist 17: Ways and Means)

HB 463, relative to state agency communications. (Leishman, Hills 24; L. Ober, Hills 37; M. Smith, Straf 6; Eaton, Ches 3; Carson, Dist 14; Morse, Dist 22: Finance)

HB 464, establishing the fishing family protection act, prohibiting political subdivisions from interfering with commercial and recreational operations of fishing families. (Cushing, Rock 21; Borden, Rock 24; Sherman, Rock 24; F. Rice, Rock 21; Emerick, Rock 21; Wood, Rock 21; Pantelakos, Rock 25; Rogers, Merr 28; A. Christie, Rock 37; Stiles, Dist 24; Fuller Clark, Dist 21; Watters, Dist 4: Municipal and County Government)

HB 465, relative to workers' compensation for domestic employees. (LeBrun, Hills 32; B. French, Merr 6; McMahon, Rock 7; Emerson, Ches 11; Seidel, Hills 28; Avard, Dist 12; Cataldo, Dist 6; Reagan, Dist 17: Labor, Industrial and Rehabilitative Services)

HB 466, relative to the definition of "implement of husbandry." (D. McGuire, Merr 21; Comtois, Belk 7; Reagan, Dist 17: Environment and Agriculture)

HB 467-FN, relative to the expiration of OHRV registrations and repealing the authority for 14-month initial OHRV registrations. (Richardson, Coos 4; Tholl, Coos 5; Rideout, Coos 7; Theberge, Coos 3; Sanborn, Dist 9: Transportation)

HB 468-FN, requiring a warrant to obtain electronic device location information. (Kurk, Hills 2; Daniels, Dist 11; Cataldo, Dist 6: Executive Departments and Administration)

HB 469, relative to highway surveillance. (Kurk, Hills 2; Gorman, Hills 31; Packard, Rock 5; Boutin, Dist 16; Stiles, Dist 24: Transportation)

HB 470, relative to jury nullification. (Hoell, Merr 23: Judiciary)

HB 471, relative to the powers of the state board of education and the duties of school boards. (Cordelli, Carr 4; Murotake, Hills 32; Harris, Rock 9; LeBrun, Hills 32; Jones, Straf 24; V. Sullivan, Hills 16; Seidel, Hills 28; Avard, Dist 12; Reagan, Dist 17: Education)

HB 472, relative to the parole board and parole board procedures. (Sytek, Rock 8; Cushing, Rock 21; Soucy, Dist 18: Executive Departments and Administration)

HB 473, relative to the smoking policy at the New Hampshire veterans' home. (Moffett, Merr 9; Baldasaro, Rock 5; Notter, Hills 21; Rollins, Sull 6; Ebel, Merr 5; Richardson, Coos 4: Executive Departments and Administration)

HB 474, relative to grounds for denial of a chartered public school application. (Horrigan, Straf 6; Gile, Merr 27: Education)

HB 475, prohibiting the state from engaging in acts of civil forfeiture. (Marple, Merr 24; Rappaport, Coos 1; L. Christiansen, Hills 37: Executive Departments and Administration)

HB 476-FN, amending the definition of "qualifying medical condition" in the therapeutic cannabis law. (Stephen Schmidt, Carr 6; MacKay, Merr 14; McMahon, Rock 7; B. French, Merr 6; Reagan, Dist 17; Fuller Clark, Dist 21: Health, Human Services and Elderly Affairs)

HB 477-FN-L, relative to workers' compensation benefits and establishing payment schedules. (Flanagan, Hills 26; LeBrun, Hills 32; Webb, Rock 6; Richardson, Coos 4: Labor, Industrial and Rehabilitative Services)

HB 478, relative to rulemaking for market conduct record retention and production. (Butler, Carr 7; Pierce, Dist 5: Commerce and Consumer Affairs)

HB 479, relative to uninsured or hit-and-run motor vehicle coverage. (Hunt, Ches 11; Butler, Carr 7: Commerce and Consumer Affairs)

HB 480, relative to policies for property and casualty insurance. (Hunt, Ches 11: Commerce and Consumer Affairs)

HB 481, relative to commercial insurance. (Hunt, Ches 11; Butler, Carr 7: Commerce and Consumer Affairs)

HB 482, relative to the insurance claims adjuster definition. (Hunt, Ches 11; Butler, Carr 7: Commerce and Consumer Affairs)

HB 483, relative to the commission on primary care workforce issues. (Sherman, Rock 24; Sad, Ches 1; McMahon, Rock 7; MacKay, Merr 14; Reagan, Dist 17; Stiles, Dist 24: Health, Human Services and Elderly Affairs)

HB 484, relative to the board of nursing and exemptions from licensure by the board. (Suzanne Smith, Graf 8; Ford, Graf 3; LeBrun, Hills 32; Emerson, Ches 11; Reagan, Dist 17; Woodburn, Dist 1: Executive Departments and Administration)

HB 485, relative to license restoration fees. (Leeman, Straf 23; Abramson, Rock 20; Cheney, Straf 17; Beaudoin, Straf 9; Kaczynski, Jr., Straf 22; Knowles, Straf 12; Groen, Straf 10; DeLemus, Straf 11; Webb, Rock 6: Transportation)

HB 486, authorizing towns and cities to establish special assessment districts. (Carson, Merr 7; Coffey, Hills 25; Bickford, Straf 3; Forrester, Dist 2: Municipal and County Government)

HB 487, requiring that planning board and zoning board of adjustment members be elected. (Comeau, Carr 5; Avellani, Carr 5: Municipal and County Government)

HB 488, relative to an abusive work environment and the health and safety of public employees. (Schuett, Merr 20; A. Turcotte, Merr 22; Emerson, Ches 11; Irwin, Sull 9; Alicea, Merr 8; Reagan, Dist 17; Carson, Dist 14: Executive Departments and Administration)

HB 489, relative to annulment of mental health records. (Hannon, Straf 25; Schleien, Hills 37; Beaudoin, Straf 9; Hogan, Hills 34; Fuller Clark, Dist 21: Health, Human Services and Elderly Affairs)

HB 490-FN, prohibiting the retail sale of reloadable aerial shell fireworks. (Cooney, Graf 8; Takesian, Hills 37: Criminal Justice and Public Safety)

HB 491, relative to immunity for school personnel using reasonable force to protect a minor. (Gidge, Hills 33; Guerette, Hills 33: Education)

HB 492, relative to military and historic re-enactments and commemorations. (Welch, Rock 13; Weyler, Rock 13; D'Allesandro, Dist 20; Fuller Clark, Dist 21: Criminal Justice and Public Safety)

HB 493, relative to minimum voting booths for city or town elections. (Hansberry, Hills 35; Byron, Hills 20; Karrick, Merr 25; Gagnon, Sull 5; M. O'Brien, Sr., Hills 36; Mangipudi, Hills 35; Lasky, Dist 13; Boutin, Dist 16: Election Law)

HB 494, relative to industrial hemp as a controlled substance. (Edwards, Hills 11; Sylvia, Belk 6; Jones, Straf 24; Cushing, Rock 21: Criminal Justice and Public Safety)

HB 495, relative to referral fees for settlement services. (DiSilvestro, Hills 9; Baroody, Hills 43; Sanborn, Dist 9: Commerce and Consumer Affairs)

HB 496-FN-L, prohibiting public employers from using criminal history in employment decisions. (Heffron, Rock 18; Berrien, Rock 18: Labor, Industrial and Rehabilitative Services)

HB 497, relative to interference with a cemetery burial plot. (Jones, Straf 24; Sad, Ches 1; Beaudoin, Straf 9; Leeman, Straf 23; Cordelli, Carr 4; Hannon, Straf 25; Ferreira, Hills 28; Sylvia, Belk 6; C. Chase, Ches 8; Cataldo, Dist 6; Reagan, Dist 17; Avard, Dist 12; Pierce, Dist 5; Watters, Dist 4: Municipal and County Government)

HB 498, relative to notification of radon and arsenic testing. (Hunt, Ches 11; Cataldo, Dist 6: Commerce and Consumer Affairs)

HB 499, permitting New Hampshire farmers to sell certain farm raised animals directly to the public. (Chandler, Carr 1; Burt, Hills 39; Rappaport, Coos 1; LeBreche, Belk 6; Forrester, Dist 2; Bradley, Dist 3; D'Allesandro, Dist 20; Avard, Dist 12: Environment and Agriculture)

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife. (Burt, Hills 39; Bickford, Straf 3; Spillane, Rock 2; Rideout, Coos 7; Martin, Merr 23; Cataldo, Dist 6: Fish and Game and Marine Resources)

HB 501, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces. (Cheney, Straf 17; Baldasaro, Rock 5; Leeman, Straf 23; Mullen, Straf 1; Knowles, Straf 12; Carson, Dist 14: Municipal and County Government)

HB 502, relative to petitions for verification of checklists. (Cheney, Straf 17; Grenier, Sull 7; Jones, Straf 24; Ulery, Hills 37; Vadney, Belk 2; B. Griffin, Hills 6; Fraser, Belk 1; Mullen, Straf 1; Boutin, Dist 16: Election Law)

HB 503, relative to presidential primary ballots. (Fields, Belk 4; Schroadter, Rock 17; Cote, Hills 31; Berube, Straf 18; Gallagher, Belk 4; Chandler, Carr 1; Gidge, Hills 33; Hoelzel, Rock 3; Boutin, Dist 16; D'Allesandro, Dist 20: Election Law)

HB 504, relative to online driver education. (Packard, Rock 5; Sad, Ches 1: Transportation)

HB 505, relative to baiting for game birds and game animals by persons with a disability. (Burt, Hills 39; Spillane, Rock 2; Rideout, Coos 7; Parent, Merr 26: Fish and Game and Marine Resources)

HB 526, relative to transfers of appropriations in Carroll county. (F. McCarthy, Carr 2; Chandler, Carr 1; Cordelli, Carr 4; S. Schmidt, Carr 6; Buco, Carr 2; Comeau, Carr 5: Municipal and County Government)

HB 527, establishing guidelines for school districts relative to the use of school resource officers. (Gile, Merr 27; Shaw, Hills 16: Education)

HB 528, relative to motor vehicle records provided to insurance companies. (Simmons, Hills 17; Lachance, Hills 8; McLean, Hills 15; Webb, Rock 6; Tucker, Rock 23; Beaudoin, Straf 9; Schleien, Hills 37; S. Sweeney, Hills 23; Proulx, Hills 44; Jones, Straf 24; J. Sweeney, Rock 8; Potucek, Rock 6; Duarte, Rock 2: Commerce and Consumer Affairs)

HB 529, relative to party conventions. (Simmons, Hills 17; Lachance, Hills 8; McLean, Hills 15: Election Law)

HB 530-FN-A, authorizing a trial program for electronic voter check-in. (Gray, Straf 8: Election Law)

HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties. (Butler, Carr 7; Chandler, Carr 1; Almy, Graf 13; Lovejoy, Rock 36: Commerce and Consumer Affairs)

HB 532, relative to commercial vessel insurance and eliminating the mooring appeals board. (Hinch, Hills 21; Tholl, Coos 5: Transportation)

HB 533, relative to arc-fault circuit-breaker protection in residential construction. (Groen, Straf 10; R. Gordon, Rock 35: Executive Departments and Administration)

HCR 5, calling for an article V convention for the purpose of considering a countermand amendment to the United States Constitution. (Ulery, Hills 37: Legislative Administration)

HCR 6, petitioning Congress for an Article V amendment convention. (Ulery, Hills 37: Legislative Administration)

HCR 7, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. (Itse, Rock 10; Hoell, Merr 23; Ingbretson, Graf 15; Baldasaro, Rock 5; DeLemus, Straf 11; Tucker, Rock 23; Notter, Hills 21; Seidel, Hills 28; Cataldo, Dist 6; Reagan, Dist 17: Legislative Administration)

HR 9, to express support for the federal return of public lands to the western states, and to urge the United States Congress to engage in good faith communication and cooperation to coordinate the return of title to the western states. (Groen, Straf 10: Legislative Administration)

CACR 11, relating to voting at elections. Providing that the general court may authorize all voters to choose to vote by absentee ballot. (Rogers, Merr 28: Election Law)

CACR 12, relating to qualifications for public office. Providing that no person shall be qualified for any elective office unless previously residing in and having as domicile a place within the limits of the district for which the candidate is seeking office for no less than the term of the office sought. (Ulery, Hills 37: Election Law)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 506 through 525 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 506, clarifying the conditions under which motor vehicle information may be used. (T. Walsh, Merr 24; Packard, Rock 5: Transportation)

HB 507, relative to teacher personally identifiable data. (Cordelli, Carr 4; Boehm, Hills 20; Grenier, Sull 7; Massimilla, Graf 1; Harris, Rock 9; V. Sullivan, Hills 16; Adams, Hills 26; Kappler, Rock 3; Avard, Dist 12: Education)

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association. (Hunt, Ches 11: Judiciary)

HB 509, relative to jury tampering by magistrates. (Marple, Merr 24; L. Christiansen, Hills 37; Brewster, Merr 21: Judiciary)

HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers. (Williams, Hills 4: Executive Departments and Administration)

HB 511, relative to funding of eligible infrastructure projects. (Schroadter, Rock 17; Gottling, Sull 2; P. Long, Hills 10; Cushing, Rock 21: Resources, Recreation and Development)
HB 512, prohibiting the confiscation of firearms, ammunition, or firearms accessories during a state of emergency. (LeBreche, Belk 6; Baldasaro, Rock 5; Spillane, Rock 2; Burt, Hills 39; Balcom, Hills 21; Wheeler, Merr 3; Gallagher, Belk 4; Cataldo, Dist 6: Criminal Justice and Public Safety)
HB 513, relative to complaint investigation procedures of the guardian ad litem board. (Oligny, Rock 34; Verschueren, Straf 13; Abrami, Rock 19; F. Rice, Rock 21; Pantelakos, Rock 25; Itse, Rock 10; Avard, Dist 12: Children and Family Law)
HB 514, revising the child support guidelines. (Oligny, Rock 34; Pantelakos, Rock 25; K. Rice, Hills 37: Children and Family Law)
HB 515-FN, relative to oversight of guardians ad litem by the guardian ad litem board. (Oligny, Rock 34; Pantelakos, Rock 25; P. Schmidt, Straf 19; White, Graf 13; K. Rice, Hills 37; Verschueren, Straf 13; Itse, Rock 10; Abrami, Rock 19; Avard, Dist 12; Carson, Dist 14: Children and Family Law)
HB 516, relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities. (Oligny, Rock 34; Welch, Rock 13; Pantelakos, Rock 25; K. Rice, Hills 37; Abrami, Rock 19; Verschueren, Straf 13; Avard, Dist 12: Children and Family Law)
HB 517, relative to disciplinary actions for physicians whose license to practice is suspended or revoked. (Leeman, Straf 23; Abramson, Rock 20; Burt, Hills 39; Knowles, Straf 12; Groen, Straf 10; R. Gordon, Rock 35: Health, Human Services and Elderly Affairs)
HB 518, relative to authority to establish fees for licenses issued by the fish and game department. (Kidder, Merr 5; Goley, Hills 8: Fish and Game and Marine Resources)
HB 519, establishing a committee to study department of education policies affecting dyslexic students. (Kidder, Merr 5; Ebel, Merr 5; Grenier, Sull 7: Education)
HB 520, establishing privacy protections for student online personal information. (Cordelli, Carr 4; Kurk, Hills 2; V. Sullivan, Hills 16; Boehm, Hills 20; Grenier, Sull 7; Kappler, Rock 3; Pitre, Straf 2; Moore, Hills 21; Adams, Hills 26: Education)
HB 521, relative to the size of the pool of the workers' compensation appeals board. (Goley, Hills 8: Labor, Industrial and Rehabilitative Services)
HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law. (Goley, Hills 8; Soucy, Dist 18: Labor, Industrial and Rehabilitative Services)
HB 523, relative to the jurisdiction of the penalty appeal board. (Goley, Hills 8; Richardson, Coos 4; Soucy, Dist 18: Labor, Industrial and Rehabilitative Services)
HB 524-FN-L, relative to the calculation of default budgets. (F. McCarthy, Carr 2; Webb, Rock 6; Boehm, Hills 20; Spillane, Rock 2; Leeman, Straf 23; Abramson, Rock 20; F. Rice, Rock 21; Hill, Merr 3; Baldasaro, Rock 5; Nelson, Carr 5; Bradley, Dist 3: Municipal and County Government)
HB 525, relative to appropriations in the county budget. (F. McCarthy, Carr 2; Chandler, Carr 1; Cordelli, Carr 4; S. Schmidt, Carr 6; Rappaport, Coos 1; Buco, Carr 2; Comeau, Carr 5: Municipal and County Government)

RECESS

(Rep. Cushing in the Chair)

RESOLUTION

Rep. Chandler offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 534 through 536 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 534, relative to the duties of the housing finance authority. (Flanagan, Hills 26; Beaudoin, Straf 9; Burt, Hills 39; Boutin, Dist 16: Finance)
HB 535-FN, relative to signs advising motorists approaching highway emergencies. (Byron, Hills 20; Hansberry, Hills 35; Pantelakos, Rock 25; Carson, Dist 14; Soucy, Dist 18: Transportation)
HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. (Burton, Straf 6: Education)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 537 through 541 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 537-FN-L, relative to the calculation of the school administrative unit budget. (Pitre, Straf 2: Education)

HB 538-FN-L, relative to the implementation of new statewide education assessments. (Murotake, Hills 32; Cordelli, Carr 4; Eastman, Hills 28; Seidel, Hills 28; Emerick, Rock 21: Education)

HB 539-FN, establishing an early learning incentive fund in the department of education. (Gile, Merr 27; Myler, Merr 10; Feltes, Dist 15; Stiles, Dist 24: Finance)

HB 540-FN, relative to access to court records in parenting cases. (Brewster, Merr 21; Ingbretson, Graf 15: Judiciary)

HB 541-FN, relative to cellular mobile radio communications as public utilities. (Hansen, Hills 22; LeBrun, Hills 32: Science, Technology and Energy)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 542 through 545 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 542, relative to motor vehicle emission requirements. (Parison, Hills 25; Coffey, Hills 25; Ingbretson, Graf 15: Transportation)

HB 543, repealing the electric renewable portfolio standard. (Fromuth, Hills 7; O'Connor, Rock 6; Gould, Hills 7; Abramson, Rock 20; Potucek, Rock 6; Sanborn, Dist 9: Science, Technology and Energy)

HB 544, allowing the general court to deny a utility the use of the power of eminent domain. (Rappaport, Coos 1; Kurk, Hills 2; Ford, Graf 3: Science, Technology and Energy)

HB 545, relative to eligibility for office. (Hinch, Hills 21; Shurtleff, Merr 11; Flanagan, Hills 26; Schuett, Merr 20; MacKay, Merr 14; Pellegrino, Hills 21: Election Law)

RECESS

(Rep. Flanagan in the Chair)

RESOLUTION

Rep. Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 546 through 548 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 546, relative to exactions for improvements related to innovative land use controls. (Abramson, Rock 20; Leeman, Straf 23; C. McGuire, Merr 29; Spillane, Rock 2; Itse, Rock 10: Municipal and County Government)

HB 547, reestablishing the exemption from property taxation for telecommunications poles and conduits. (C. McGuire, Merr 29; Abrami, Rock 19; Introne, Rock 5; L. Ober, Hills 37; Lovejoy, Rock 36; Barry, Hills 21; Cataldo, Dist 6; Birdsell, Dist 19; Carson, Dist 14: Ways and Means)
HB 548, establishing the federally-facilitated health exchange as the health exchange for New Hampshire. (Butler, Carr 7; Rosenwald, Hills 30; Sherman, Rock 24; Pierce, Dist 5; Fuller Clark, Dist 21: Commerce and Consumer Affairs)

RECESS

(Rep. Bartlett in the Chair)

RESOLUTION

Rep. Webb offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 549 through 559 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 549-FN-A-L, allowing school building aid grants for certain authorized projects. (Mullen, Straf 1; Marston, Hills 19; Cahill, Rock 17; Schroadter, Rock 17; Parsons, Straf 1: Education)
HB 550-FN, relative to administration of the tobacco tax. (R. Ober, Hills 37; D'Allesandro, Dist 20; Boutin, Dist 16: Ways and Means)
HB 551-FN, relative to preventing diversion of business income to tax havens. (Ames, Ches 9; Luneau, Merr 10; Horrigan, Straf 6; Karrick, Merr 25; Cloutier, Sull 10; Myler, Merr 10; C. Chase, Ches 8; Feltes, Dist 15; Soucy, Dist 18: Ways and Means)
HB 552-FN, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees. (Schleien, Hills 37; Spillane, Rock 2; Edwards, Hills 11; Zaricki, Hills 6; Ammon, Hills 40; Bouldin, Hills 12; Gallagher, Belk 4; Avard, Dist 12: Ways and Means)
HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale. (Packard, Rock 5; T. Walsh, Merr 24; Cooney, Graf 8; Hosmer, Dist 7; Stiles, Dist 24: Transportation)
HB 554-FN, relative to sales of beer in refillable containers. (Williams, Hills 4; Potucek, Rock 6; S. Schmidt, Carr 6; Bradley, Dist 3: Commerce)
HB 555, relative to participation of chartered public school students in school district co-curricular activities. (Cordelli, Carr 4; Weyler, Rock 13; Reagan, Dist 17: Education)
HB 556-FN-L, establishing a cash balance plan for public employees in the retirement system. (Kurk, Hills 2; Hill, Merr 3; C. McGuire, Merr 29; Leishman, Hills 24; Bradley, Dist 3; Reagan, Dist 17: Special Committee on Public Employee Pension Plans)
HB 557-FN, relative to penalties for driving while intoxicated, third and fourth offenses. (Estevez, Hills 37; Manning, Rock 8; Elliott, Rock 8: Criminal Justice and Public Safety)
HB 558-FN, establishing a clean water tax credit. (Schroadter, Rock 17: Ways and Means)
HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire. (Hinch, Hills 21: Transportation)

RECESS

(Rep. Twombly in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 568 through 588 and House Joint Resolution numbered 1 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF HOUSE BILLS AND HJR

First, second reading and referral

HB 568-FN, requiring a supervisory law enforcement officer to arrest a law enforcement officer when the supervisor knows that the law enforcement officer has committed a criminal offense. (Tasker, Rock 2; Schleien, Hills 37; H. French, Merr 2; Spillane, Rock 2; Hansen, Hills 22; Edwards, Hills 11: Criminal Justice and Public Safety)

HB 569-FN-A, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax. (Hess, Merr 24; R. Walsh, Hills 11; Weyler, Rock 13; Kurk, Hills 2; T. Walsh, Merr 24; Gorman, Hills 31; Backus, Hills 19; Leishman, Hills 24; Lovejoy, Rock 36; Chandler, Carr 1: Ways and Means)

HB 570-FN, establishing a condominium dispute resolution board. (Williams, Hills 4; Almy, Graf 13; LeBrun, Hills 32; Cataldo, Dist 6: Commerce and Consumer Affairs)

HB 571-FN-A, relative to taxation of trusts under the interest and dividends tax. (Hess, Merr 24: Ways and Means)

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and requiring payment of the land use change tax when land is taken by eminent domain to build energy infrastructure. (J. Belanger, Hills 27; Frazer, Merr 13; Gardner, Straf 15; Edelblut, Hills 38; Coffey, Hills 25; Rappaport, Coos 1; Itse, Rock 10; D. McGuire, Merr 21; Grenier, Sull 7; Reagan, Dist 17: Municipal and County Government)

HB 573-FN, relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, requiring skills training courses for applicants for such licensure and license renewal, and relative to the certification of security officer instructors. (Theberge, Coos 3: Executive Departments and Administration)

HB 574-FN, relative to regional greenhouse gas initiative distributions to residential customers. (Borden, Rock 24; Barry, Hills 21; Feltes, Dist 15; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 575-FN-A, establishing the position of school nurse coordinator in the department of education and making an appropriation therefor. (Frazer, Merr 13; Grenier, Sull 7; MacKay, Merr 14; Heath, Hills 14: Education)

HB 576-FN-A, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected and continually appropriating 3 percent of meals and rooms tax revenues to school building aid. (Cahill, Rock 17; Bixby, Straf 17; Ratzki, Merr 1; Ley, Ches 9; Fuller Clark, Dist 21: Ways and Means)

HB 577-FN-A-L, establishing a children's savings account program. (Gile, Merr 27; Lovejoy, Rock 36; Gargasz, Hills 27; Barry, Hills 21; Wallner, Merr 10: Education)

HB 578-FN, relative to state board of education compliance with unfunded federal education mandates. (Ladd, Graf 4; Grenier, Sull 7; Carson, Dist 14; Reagan, Dist 17: Education)

HB 579-FN, establishing a maple products coordinator in the department of agriculture, markets, and food using federal funds. (Massimilla, Graf 1; Theberge, Coos 3; Bailey, Graf 14; Rideout, Coos 7; Richardson, Coos 4; Sad, Ches 1: Environment and Agriculture)

HB 580-FN, relative to travel expenses for members of the building code review board. (Umberger, Carr 2: Finance)

HB 581-FN, requiring schools to continue the education of a child during the child's suspension or expulsion. (Gile, Merr 27; Boehm, Hills 20; Shaw, Hills 16; Myler, Merr 10; P. Long, Hills 10; Gargasz, Hills 27; Feltes, Dist 15: Education)

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. (Comtois, Belk 7; Sylvia, Belk 6; Spillane, Rock 2; R. Gordon, Rock 35; Howard, Jr., Belk 8; Tamburello, Rock 5; Moore, Hills 21; Burt, Hills 39; Comeau, Carr 5; Kellogg, Rock 14; Hoell, Merr 23; Avard, Dist 12: Criminal Justice and Public Safety)

HB 583-FN, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefor. (Cushing, Rock 21; Pantelakos, Rock 25; Welch, Rock 13; Carson, Dist 14: Criminal Justice and Public Safety)

HB 584-FN, making various changes to laws relating to motor vehicles and vessels. (Hinch, Hills 21: Transportation)

HB 585-FN-A, relative to fines for violation of alcoholic beverage laws. (Cushing, Rock 21; Pantelakos, Rock 25: Criminal Justice and Public Safety)

HB 586-FN-L, relative to registration of automobile utility trailers. (Hill, Merr 3; Duarte, Rock 2; Avard, Dist 12: Transportation)

HB 587-FN, repealing the registration fee for sexual offenders and offenders against children. (Robertson, Ches 6; Abramson, Rock 20; C. Chase, Ches 8; Frazer, Merr 13; Spang, Straf 6; Emerson, Ches 11: Criminal Justice and Public Safety)

HB 588-FN-A-L, extending the Coos county job creation tax credit to Carroll county. (F. McCarthy, Carr 2; Cordelli, Carr 4; Buco, Carr 2; S. Schmidt, Carr 6; Avellani, Carr 5; Crawford, Carr 4: Ways and Means)

HJR 1-FN, making restitution to Jeffrey Frost for inappropriate prosecution. (Ingbretson, Graf 15; Itse, Rock 10: Legislative Administration)

RECESS

(Rep. Rouillard in the Chair)

RESOLUTION

Rep. MacKay offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 560 through 567 and 589 through 608 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses. (Rideout, Coos 7; Notter, Hills 21; Souza, Hills 43; Murotake, Hills 32; Baldasaro, Rock 5; Beaudoin, Straf 9; Richardson, Coos 4; V. Sullivan, Hills 16; Tucker, Rock 23; Bailey, Graf 14; Tholl, Coos 5; Goulette, Hills 23; Straight, Hills 21; Kappler, Rock 3; Wuelper, Straf 3; Gould, Hills 7; Leeman, Straf 23; Seidel, Hills 28; Cataldo, Dist 6; Avard, Dist 12: Criminal Justice and Public Safety)

HB 561-FN, relative to the use of revenues generated by electric and other utility company leases and rentals. (Ladd, Graf 4; Myler, Merr 10; Reagan, Dist 17: Finance)

HB 562-FN-L, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities. (Bates, Rock 7; Lovejoy, Rock 36; Murotake, Hills 32; F. Rice, Rock 21; J. Belanger, Hills 27; Takesian, Hills 37; Hoell, Merr 23; Rollo, Straf 18; Bixby, Straf 17; Howard, Jr., Belk 8; Hogan, Hills 34; Elliott, Rock 8; Azarian, Rock 8; Manning, Rock 8; Estevez, Hills 37; Cheney, Straf 17; Fields, Belk 4; Schroadter, Straf 17; Wolf, Hills 7; M. Griffin, Rock 7; Cahill, Rock 17; Verschueren, Straf 13; Watters, Dist 4; Sanborn, Dist 9: Education)

HB 563-FN, relative to funding for chartered public school pupils. (Weyler, Rock 13; K. Roberts, Ches 16; Elliott, Rock 8; Boehm, Hills 20; Cordelli, Carr 4; Pitre, Straf 2; Azarian, Rock 8: Finance)

HB 564-FN, relative to prior authorization for certain prescription drugs. (Sherman, Rock 24; Snow, Hills 42; Feltes, Dist 15; Stiles, Dist 24: Health, Human Services and Elderly Affairs)

HB 565-FN, relative to banning the use of boats on certain waters with a confirmed exotic aquatic species infestation. (Spang, Straf 6; Grenier, Sull 7; Kidder, Merr 5: Resources, Recreation and Development)

HB 566-FN-L, relative to consolidation of school administrative units. (Cloutier, Sull 10; Horrigan, Straf 6: Education)

HB 567-FN, establishing breast cancer and pediatric cancer special number plates. (Comtois, Belk 7; Vadney, Belk 2; Groen, Straf 10; Howard, Jr., Belk 8; R. Gordon, Rock 35; Tamburello, Rock 5; Avard, Dist 12: Transportation)

HB 589-FN, relative to prohibited coercion of political contributions. (Gray, Straf 8; Hoelzel, Rock 3: Election Law)

HB 590-FN, relative to the accountability of public officials. (L. Christiansen, Hills 37; Marple, Merr 24; Brewster, Merr 21: Criminal Justice and Public Safety)

HB 591-FN-A-L, relative to the road toll rate and eliminating a capital appropriation for highway projects. (Spillane, Rock 2; Tasker, Rock 2; Duarte, Rock 2; C. McGuire, Merr 29; Tamburello, Rock 5; Baldasaro, Rock 5; Schleien, Hills 37; Martin, Merr 23: Public Works and Highways)

HB 592-FN, relative to vulnerable users of highways. (Gould, Hills 7; Gagne, Hills 13; LeBrun, Hills 32; Moore, Hills 21; Higgins, Graf 12; Borden, Rock 24; Verschueren, Straf 13; Cordelli, Carr 4; Carson, Dist 14: Criminal Justice and Public Safety)

HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use. (Wright, Carr 8; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

HB 594-FN-A, establishing keno. (L. Ober, Hills 37; Abrami, Rock 19; Azarian, Rock 8; Hinch, Hills 21; Weyler, Rock 13; Major, Rock 14; Baldasaro, Rock 5; Carson, Dist 14: Ways and Means)

HB 595-FN, relative to banning abortion after viability. (Murphy, Hills 7; D. McGuire, Merr 21; Itse, Rock 10; Tamburello, Rock 5; Souza, Hills 43; Kappler, Rock 3; Notter, Hills 21: Judiciary)

HB 596-FN-L, relative to health insurance plans of public employers. (Murphy, Hills 7; Itse, Rock 10; Beaudoin, Straf 9; Abramson, Rock 20: Commerce and Consumer Affairs)

HB 597-FN, relative to penalties for indecent exposure and lewdness. (Byron, Hills 20: Criminal Justice and Public Safety)

HB 598, relative to the definition of deadly force. (Abramson, Rock 20; Leeman, Straf 23; Spillane, Rock 2; Itse, Rock 10; Marple, Merr 24; F. Rice, Rock 21: Criminal Justice and Public Safety)

HB 599, relative to the economic revitalization zone tax credit program. (Weyler, Rock 13; Eaton, Ches 3; Gionet, Graf 5; Rappaport, Coos 1; Seidel, Hills 28; Forrester, Dist 2; Cataldo, Dist 6: Ways and Means)

HB 600-FN, relative to paid sick leave for employees. (Gile, Merr 27; Myler, Merr 10; Feltes, Dist 15: Labor, Industrial and Rehabilitative Services)

HB 601-FN, relative to cash dispensing machine requirements. (Schleien, Hills 37; Spillane, Rock 2; Ammon, Hills 40; Avard, Dist 12: Commerce and Consumer Affairs)

HB 602-FN, relative to the use of drones. (Kurk, Hills 2; Berch, Ches 1; Cataldo, Dist 6; Daniels, Dist 11: Executive Departments and Administration)

HB 603, relative to student exemptions from assessments, questionnaires, or surveys. (Hoell, Merr 23; Itse, Rock 10; Abramson, Rock 20: Education)

HB 604, relative to the use of mixed use school busses by special education pupils. (Jones, Straf 24; Shaw, Hills 16; Boehm, Hills 20; Cheney, Straf 17; Cordelli, Carr 4; Hannon, Straf 25; Ferreira, Hills 28; Sylvia, Belk 6; C. Chase, Ches 8; Reagan, Dist 17; Cataldo, Dist 6; Avard, Dist 12; Watters, Dist 4; Kelly, Dist 10: Education)

HB 605-FN, eliminating mandatory minimum sentences. (Gagne, Hills 13; Itse, Rock 10; Cushing, Rock 21; Welch, Rock 13; Pantelakos, Rock 25; Lachance, Hills 8; Reagan, Dist 17: Criminal Justice and Public Safety)

HB 606-FN-L, relative to costs for public records filed electronically. (Bickford, Straf 3: Judiciary)

HB 607, relative to fees for carrying a concealed firearm. (Bickford, Straf 3: Municipal and County Government)

HB 608-FN-A, relative to liquor licenses at games of chance facilities. (D. Sullivan, Hills 42; Carson, Dist 14: Commerce and Consumer Affairs)

RECESS

(Rep. Flanagan in the Chair)

RESOLUTION

Rep. Ladd offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 609 through 673 and House Resolutions numbered 10 and 11 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF HOUSE BILLS AND HRS

First, second reading and referral

HB 609-FN, relative to hydraulic fracturing. (Horrigan, Straf 6; Johnsen, Ches 7: Environment and Agriculture)

HB 610, relative to a school board vote on the reassignment of a pupil. (Gottling, Sull 2; Woodbury, Hills 5; Daniels, Dist 11: Education)

HB 611-FN, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education. (Hill, Merr 3; Ingbretson, Graf 15: Education)

HB 612-FN, establishing a penalty for falsifying information to obtain a protective order. (Estevez, Hills 37; Manning, Rock 8: Criminal Justice and Public Safety)

HB 613, relative to governmental records exempted under the right-to-know law. (Sad, Ches 1; C. McGuire, Merr 29; Reagan, Dist 17: Judiciary)

HB 614-FN, implementing goals of the state 10-year energy strategy. (Danielson, Hills 7; Murotake, Hills 32: Science, Technology and Energy)

HB 615-FN-A, relative to funding for state energy efficiency programs. (Backus, Hills 19; Borden, Rock 24; Richardson, Coos 4; Fuller Clark, Dist 21: Science, Technology and Energy)

HB 616-FN, increasing eligibility of claimants under the victims' assistance fund. (Cushing, Rock 21; Fields, Belk 4; Hirsch, Merr 6; Gagne, Hills 13; Pantelakos, Rock 25; Lachance, Hills 8; McLean, Hills 15; Soucy, Dist 18; Lasky, Dist 13: Judiciary)

HB 617-FN-A, requiring state police to wear a camera when interacting with the public. (Tasker, Rock 2; Fromuth, Hills 7; Kellogg, Rock 14; Theberge, Coos 3; LeBrun, Hills 32; Cushing, Rock 21; G. Johnsen, Ches 7; Ratzki, Merr 1; Spillane, Rock 2; Zaricki, Hills 6; Edwards, Hills 11; Fisher, Belk 9; Reagan, Dist 17; Cataldo, Dist 6; Avard, Dist 12: Criminal Justice and Public Safety)

HB 618-FN, relative to penalties for the possession of marijuana and relative to the cultivation of marijuana plants. (Schroadter, Rock 17; Lachance, Hills 8; C. McGuire, Merr 29; Murphy, Hills 7; Simmons, Hills 17; Beaulieu, Hills 45; Kaen, Straf 5; Phillips, Ches 16: Criminal Justice and Public Safety)

HB 619-FN-L, establishing noise barrier programs and making an appropriation therefor. (Murphy, Hills 7; Pantelakos, Rock 25; DiFranco, Rock 27; Fuller Clark, Dist 21: Public Works and Highways)

HB 620-FN, relative to the Interstate Voter Registration Crosscheck Program. (Notter, Hills 21; Boehm, Hills 20; Ulery, Hills 37; Cordelli, Carr 4; Marston, Hills 19; Simmons, Hills 17; Prudhomme-O'Brien, Rock 6; Edelblut, Hills 38; Pitre, Straf 2; Kappler, Rock 3; Moore, Hills 21; Carson, Dist 14; Avard, Dist 12; Daniels, Dist 11; Birdsell, Dist 19: Election Law)

HB 621-FN, establishing fines for violations of the "wide berth" laws. (Byron, Hills 20; Hansberry, Hills 35; S. Sweeney, Hills 23; Pantelakos, Rock 25; Carson, Dist 14; Soucy, Dist 18: Transportation)

HB 622-FN-A, relative to taxation of the taxable estates of decedents. (Cloutier, Sull 10: Ways and Means)

HB 623-FN, providing property tax relief for taxpayers for the property tax year beginning April 1, 2016. (Brewster, Merr 21; Marple, Merr 24: Ways and Means)

HB 624-FN-L, relative to animal care costs in animal cruelty cases. (Booras, Hills 33: Environment and Agriculture)

HB 625-FN-A, relative to public charter schools. (Weyler, Rock 13; Cordelli, Carr 4; Boehm, Hills 20; K. Roberts, Ches 16; Cataldo, Dist 6: Education)

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors. (Suzanne Smith, Graf 8; Moffett, Merr 9; Ford, Graf 3; R. Brown, Graf 2; Chandler, Carr 1; Forrester, Dist 2; Fuller Clark, Dist 21; Bradley, Dist 3: Science, Technology and Energy)

HB 627-FN, relative to registering to vote. (Marston, Hills 19; Lachance, Hills 8; Mullen, Straf 1: Election Law)

HB 628-FN, relative to indemnification of health care facilities under certain circumstances. (Sherman, Rock 24; Byron, Hills 20; Reagan, Dist 17; Stiles, Dist 24; Fuller Clark, Dist 21: Health, Human Services and Elderly Affairs)

HB 629-FN, relative to induced termination of pregnancy statistics. (Souza, Hills 43; Notter, Hills 21; Kappler, Rock 3; Berube, Straf 18; Wuelper, Straf 3; Gould, Hills 7; Prudhomme-O'Brien, Rock 6; Cordelli, Carr 4; Leeman, Straf 23; Cataldo, Dist 6; Daniels, Dist 11: Health, Human Services and Elderly Affairs)

HB 630-FN-A, establishing the New Hampshire video lottery. (D. McGuire, Merr 21; Emerick, Rock 21; L. Ober, Hills 37; Baldasaro, Rock 5; Avard, Dist 12: Ways and Means)

HB 631-FN-A, making an appropriation to the New Hampshire state house bicentennial education and commemoration fund. (Rowe, Hills 22; Cushing, Rock 21; Welch, Rock 13; Watters, Dist 4: Finance)

HB 632-FN, relative to fiscal impact statements submitted by agencies adopting a rule under RSA 541-A. (Weyler, Rock 13; C. McGuire, Merr 29; Hill, Merr 3; Ladd, Graf 4; Seidel, Hills 28; Cataldo, Dist 6; Reagan, Dist 17: Executive Departments and Administration)

HB 633-FN, establishing the right-to-know grievance commission and relative to notice of meetings under the right-to-know law. (Weyler, Rock 13; Souza, Hills 43; Spillane, Rock 2: Judiciary)

HB 634-FN-A, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief. (Ames, Ches 9; Karrick, Merr 25; Danielson, Hills 7; Carson, Merr 7; C. Chase, Ches 8; Cloutier, Sull 10; Luneau, Merr 10; Pierce, Dist 5; Feltes, Dist 15: Ways and Means)

HB 635-FN, relative to aid to school districts for costs of special education. (Cloutier, Sull 10; Gile, Merr 27; Harris, Rock 9; Grenier, Sull 7; Myler, Merr 10; J. Frazer, Merr 13; Shaw, Hills 16: Education)

HB 636-FN, relative to forfeiture of property. (D. McGuire, Merr 21; Rowe, Hills 22; Cushing, Rock 21; Itse, Rock 10; Sylvia, Belk 6; Rappaport, Coos 1; Theberge, Coos 3; Reagan, Dist 17; Cataldo, Dist 6; Pierce, Dist 5; Daniels, Dist 11: Criminal Justice and Public Safety)

HB 637-FN, relative to acts of falsification in family law cases. (Oligny, Rock 34; Verschueren, Straf 13; P. Schmidt, Straf 19; Abrami, Rock 19; K. Rice, Hills 37; Flanagan, Hills 26; Webb, Rock 6; Itse, Rock 10; Avard, Dist 12; Carson, Dist 14; Birdsell, Dist 19: Children and Family Law)

HB 638-FN-A, reestablishing the catastrophic illness program and making an appropriation therefor. (Barry, Hills 21; Phillips, Ches 16; Woodburn, Dist 1: Finance)

HB 639-FN-L, repealing the resident tax, relative to tax collection under RSA 80, and establishing a legislative commission to revise RSA 80 governing the collection and enforcement of taxes. (Ulery, Hills 37: Municipal and County Government)

HB 640-FN, establishing the crime of criminal coercion. (Marple, Merr 24; L. Christiansen, Hills 37: Criminal Justice and Public Safety)

HB 641-FN, relative to certain causes of action by inhabitants of this state. (Marple, Merr 24; L. Christiansen, Hills 37: Judiciary)

HB 642-FN-L, allowing gold and silver as lawful mediums of exchange. (Marple, Merr 24; L. Christiansen, Hills 37: Executive Departments and Administration)

HB 643-FN, relative to recovery of certain lottery winnings. (Beaudoin, Straf 9: Ways and Means)

HB 644-FN, relative to regulation of small loans, title loans, and payday loans. (Jones, Straf 24: Commerce and Consumer Affairs)

HB 645-FN, relative to the licensure and regulation of child day care agencies. (Piper, Graf 10; Ladd, Graf 4; Ebel, Merr 5; Irwin, Sull 9; Gile, Merr 27; Cordelli, Carr 4; Pierce, Dist 5; Stiles, Dist 24; Carson, Dist 14: Executive Departments and Administration)

HB 646-FN-L, allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law. (P. Long, Hills 10; Byron, Hills 20; Hess, Merr 24: Judiciary)

HB 647-FN, exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions. (Parison, Hills 25; Coffey, Hills 25; Pantelakos, Rock 25; Avard, Dist 12: Criminal Justice and Public Safety)

HB 648-FN, requiring detention until arraignment for persons arrested for violation of protective orders and increasing the fee for bail commissioners. (D. Sullivan, Hills 42; P. Long, Hills 10: Criminal Justice and Public Safety)

HB 649-FN, relative to campaign contributions. (Ulery, Hills 37: Election Law)

HB 650-FN, requiring background checks for commercial firearms sales. (Rogers, Merr 28; Berrien, Rock 18; DiSesa, Straf 16; Borden, Rock 24; Cushing, Rock 21; Abbott, Ches 1; Alicea, Merr 8; Ames, Ches 9; Bartlett, Merr 19; Bennett, Graf 8; Berch, Ches 1; Bixby, Straf 17; Bradley, Merr 18; P. Brown, Hills 31; Burton, Straf 6; Butler, Carr 7; Cahill, Rock 17; C. Chase, Ches 8; Cloutier, Sull 10; Cooney, Graf 8; Deloge, Merr 16; Doherty, Merr 20; Elliott, Rock 8; Emerson, Ches 11; Ford, Graf 3; J. Frazer, Merr 13; Freitas, Hills 14; B. French, Merr 6; Gagnon, Sull 5; Gardner, Straf 15; Gile, Merr 27; P. Gordon, Rock 29; Harvey, Hills 29; Heath, Hills 14; Heffron, Rock 18; M. Hennessey, Graf 12; Herbert, Hills 43; Higgins, Graf 12; Hirsch, Merr 6; Horrigan, Straf 6; Kenison, Merr 15; Leishman, Hills 24; Ley, Ches 9; Lovejoy, Rock 36; MacKay, Merr 14; Mangipudi, Hills 35; Manley, Hills 3; Mann, Ches 2; McBeath, Rock 26; McNamara, Hills 35, Moody, Rock 17; Nordgren, Graf 12; Oxenham, Sull 1; Pantelakos, Rock 25; Patten, Merr 17; Porter, Hills 1; Rollo, Straf 18; P. Schmidt, Straf 19; Schuett, Merr 20; G. Shattuck, Hills 1; Shepardson, Ches 10; Shurtleff, Merr 11; Simpson, Rock 18; M. Smith, Straf 6; Snow, Hills 42; Theberge, Coos 3; Verschueren, Straf 13; Wallner, Merr 10; G. Ward, Rock 28; Weber, Ches 1; Wheeler, Merr 3; Pierce, Dist 5: Criminal Justice and Public Safety)

HB 651-FN-L, transferring the portion of special education costs directly related to health issues to the department of health and human services. (Seaworth, Merr 20; Baldasaro, Rock 5; Seidel, Hills 28: Finance)

HB 652-FN, relative to undeclared voters. (Hansberry, Hills 35; Byron, Hills 20; Mangipudi, Hills 35; Karrick, Merr 25; P. Brown, Hills 31; Cohen, Hills 30; M. O'Brien, Sr., Hills 36; Lasky, Dist 13: Election Law)

HB 653-FN, prohibiting the use of sex offender registry information for the purpose of harassing, intimidating, or threatening a registered sexual offender or offender against children, or any family member, employer or landlord of such person. (Robertson, Ches 6; Abramson, Rock 20; Spang, Straf 6; Ulery, Hills 37; C. Chase, Ches 8; Hirsch, Merr 6; Emerson, Ches 11; Feltes, Dist 15: Criminal Justice and Public Safety)

HB 654-FN-A-L, relative to the distribution of marriage license fees and the funding source for the domestic violence grant program. (Bickford, Straf 3: Finance)

HB 655-FN, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. (Eastman, Hills 28; Hogan, Hills 34; Baldasaro, Rock 5; Hannon, Straf 25; Murotake, Hills 32; Abramson, Rock 20; Rideout, Coos 7; P. Brown, Hills 31; Cohen, Hills 30; Biggie, Hills 23; LeBrun, Hills 32; Schroadter, Rock 17; Schleien, Hills 37; Cataldo, Dist 6; Lasky, Dist 13; D'Allesandro, Dist 20; Avard, Dist 12: Ways and Means)

HB 656-FN-L, relative to inspection of governmental records under the right-to-know law. (Leeman, Straf 23; Burt, Hills 39; Beaudoin, Straf 9; Groen, Straf 10; Prudhomme-O'Brien, Rock 6; Webb, Rock 6; Schleien, Hills 37: Judiciary)

HB 657-FN-A-L, relative to video lottery. (D. Sullivan, Hills 42: Ways and Means)

HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union. (Baldasaro, Rock 5; W. O'Brien, Hills 5; Tucker, Rock 23; Boehm, Hills 20; Kappler, Rock 3; Spillane, Rock 2; Seidel, Hills 28; Eastman, Hills 28; Leeman, Straf 23: Labor, Industrial and Rehabilitative Services)

HB 659-FN-L, allowing all voters to vote by absentee ballot. (Rogers, Merr 28; Feltes, Dist 15: Election Law)

HB 660-FN, relative to small farms and farmstands. (Comtois, Belk 7; Kurk, Hills 2; Groen, Straf 10; R. Gordon, Rock 35; Howard, Jr., Belk 8; Burton, Straf 6: Environment and Agriculture)

HB 661-FN, relative to record keeping for sold or transferred animals. (Gardner, Straf 15; Sad, Ches 1; Carson, Dist 14; Watters, Dist 4: Executive Departments and Administration)

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property. (Williams, Hills 4; Edelblut, Hills 38: Municipal and County Government)

HB 663-FN, requiring the implementation of a plan for the transfer of the fish and game department to the department of safety on or before July 1, 2017. (Burt, Hills 39; Rideout, Coos 7: Fish and Game and Marine Resources)

HB 664-FN, consolidating existing oil pollution funds. (C. Christensen, Hills 21; Schroadter, Rock 17; Ebel, Merr 5: Ways and Means)

HB 665-FN, relative to nomination papers. (Abramson, Rock 20; Leeman, Straf 23; Spillane, Rock 2; Marple, Merr 24; Tucker, Rock 23; Eastman, Hills 28: Election Law)

HB 666-FN, relative to licensing of money transmitters. (Jones, Straf 24: Commerce and Consumer Affairs)

HB 667-FN, relative to aquatic invasive species and authorizing a program to inspect boats for the presence of aquatic invasive species. (Spang, Straf 6; Grenier, Sull 7; Kidder, Merr 5: Resources, Recreation and Development)

HB 668-FN, relative to expense deductions under the business profits tax. (Sanborn, Hills 41; Edelblut, Hills 38; Abrami, Rock 19; Hill, Merr 3; Azarian, Rock 8: Ways and Means)

HB 669-FN-L, requiring law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams. (Sylvia, Belk 6; Hoell, Merr 23; C. McGuire, Merr 29; Cataldo, Dist 6: Criminal Justice and Public Safety)

HB 670-FN, relative to the rights of conscience for medical professionals. (Groen, Straf 10; R. Gordon, Rock 35: Health, Human Services and Elderly Affairs)

HB 671-FN-A, establishing a state mental health first aid program and making an appropriation therefor. (MacKay, Merr 14; Snow, Hills 42; Deloge, Merr 16; LeBrun, Hills 32; Frazer, Merr 13; Kenison, Merr 15; Feltes, Dist 15; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

HB 672-FN, establishing a state bank. (Cloutier, Sull 10; Horrigan, Straf 6: Ways and Means)

HB 673-FN-A, establishing a sales and use tax. (Shattuck, Hills 1: Ways and Means)

HR 10, urging the department of justice to reexamine the conviction of Chad Evans. (Abramson, Rock 20; Patten, Merr 17: Judiciary)
HR 11, requesting the National Oceanic and Atmospheric Administration and Congress to relax rules on Atlantic states recreational fishing. (Abramson, Rock 20; D. Sweeney, Rock 20; F. Rice, Rock 21; Peckham, Rock 22; Abrami, Rock 19; Beaudoin, Straf 9; Wood, Rock 21; Emerick, Rock 21: State-Federal Relations and Veterans Affairs)

RECESS

(Rep. Chandler in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 674 through 688 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 674-FN, relative to the salaries of certain unclassified positions. (P. Schmidt, Straf 19: Executive Departments and Administration)
HB 675-FN, relative to eligibility for in-state tuition rates at the university system of New Hampshire and the community college system of New Hampshire. (Gottling, Sull 2; A. Schmidt, Sull 1; Burton, Straf 6; Kidder, Merr 5; P. Schmidt, Straf 19: Education)
HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program. (Kurk, Hills 2; Ladd, Graf 4; Gile, Merr 27; Shaw, Hills 16; Umberger, Carr 2; Reagan, Dist 17; Stiles, Dist 24: Education)
HB 677-FN, prohibiting the use of public funds for abortion services. (Groen, Straf 10; R. Gordon, Rock 35: Judiciary)
HB 678-FN, requiring evaluation of vendor performance on certain state contracts. (Seidel, Hills 28; Ferreira, Hills 28; Avard, Dist 12: Finance)
HB 679-FN, establishing tax deferrals for expansion of natural gas distribution systems. (Shattuck, Hills 1: Ways and Means)
HB 680-FN-L, relative to establishing the rate for and the collection of the education property tax and establishing a homestead exemption from the education property tax. (Shattuck, Hills 1: Ways and Means)
HB 681-FN-A, increasing the marriage license fee. (Cushing, Rock 21; Mangipudi, Hills 35; Pantelakos, Rock 25; Harvey, Hills 29; Simpson, Rock 18; Soucy, Dist 18: Commerce and Consumer Affairs)
HB 682-FN, granting group II retirement system status to certain positions in the department of corrections. (Cushing, Rock 21; Berube, Straf 18; Rogers, Merr 28; Welch, Rock 13; Pantelakos, Rock 25: Executive Departments and Administration)
HB 683-FN, regulating cash for gold businesses. (Williams, Hills 4: Commerce and Consumer Affairs)
HB 684-FN, establishing a state minimum hourly rate. (Cilley, Straf 4; Rogers, Merr 28; Cahill, Rock 17; Cloutier, Sull 10; Verschueren, Straf 13; Fuller Clark, Dist 21: Labor, Industrial and Rehabilitative Services)
HB 685-FN, prohibiting a state agency, state employee, or political subdivision from enforcing any federal law regarding a firearm, firearm accessory, or ammunition. (Hoell, Merr 23: Criminal Justice and Public Safety)
HB 686-FN-A, establishing a single payer health care system and making an appropriation therefor. (McNamara, Hills 38; Suzanne Smith, Graf 8; Moody, Rock 17: Commerce and Consumer Affairs)
HB 687-FN-L, relative to eligibility for Medicaid. (Hess, Merr 24: Health, Human Services and Elderly Affairs)
HB 688-FN-L, relative to establishing an agricultural education number plate. (Bixby, Straf 17: Transportation)

RECESS

(Rep. Packard in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 689 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.
Motion adopted.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 689, relative to adoption of a default budget. (Ammon, Hills 40; Hoell, Merr 23; Coffey, Hills 25: Municipal and County Government)

RECESS

(Speaker Jasper in the Chair)

Rep. Chandler moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 4

Wednesday, February 4, 2015

The House assembled at 10:00 a.m., and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Almighty, unchanging God, we come before You with our hopes and our disappointments, our joyful celebrations and our heart-wrenching losses, knowing that Your unfailing love is present through it all. We remember today former Governor John Lynch, who was honored yesterday. We give thanks for him and for all people who are inspired by values of individuality, hard work, humanitarianism and patriotism. We remember, too, U.S. Navy Seal Blake Marston, who lost his life last month. We give thanks for him and for all people who dedicate their lives to protecting their fellow citizens and defending the cause of freedom. As we rejoice with the Lynch family and grieve with the Marston family, we call to mind the many times You deepen our joys and comfort our sorrows and we give You thanks. Amen.

Representative Timothy Soucy, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Brooke Nelson, a student at Gilbert H. Hood Middle School in Derry.

LEAVES OF ABSENCE

Reps. Mary Griffin, Irwin, Manning, Marston, Martel, Oxenham, Parkhurst, Parsons, Chip Rice, Russell and Scontsas, the day, illness.
Reps. Avellani, DeSimone, Barbara Griffin, Hoell, Infantine, Kolodziej, William O'Brien, Phillips, Porter, Andrew Schmidt, Sherman, Gregory Smith and Treleaven, the day, important business.
Rep. Pamela Brown, the day, illness in the family.
Rep. O'Hearne, the day, death in the family.

INTRODUCTION OF GUESTS

Sumana Shashidar, a student at Bedford High School and Ryan Dube, a student from Lebanon High School, Pages for the day.
Sarah Hartwick, guest of Rep. Sanborn. Ralph Holder, Katrina Heinrich and Kevin Rondeau, guests of Rep. Itse. Janis Kuch, Edward and Gail Jahn, wife and guests of Rep. Kuch. Joel Weinrebe, guest of Rep. LeBreche. Jodi, Scott and Luke Nelson, family of the Singer, guests of the House.

PETITIONS

Petitioner Representative Daniel Itse on behalf of Ralph Holder. This grievance against the State of New Hampshire, the circuit court family division and a guardian ad litem seeks introduction of legislation regarding attorneys, conflicts of interest and restraining orders.
Petitioner Representative Robert Luther on behalf of Ann Marie Moynihan. This grievance against the 10th Circuit Court Family Division seeks review of court procedures in a particular case, disciplinary action against a certain judge, amendment of various statutes regarding parental rights and stalking, review of judicial salaries, establishment of a legislative committee and reimbursement of financial damages.
Petitioner Representative Daniel Itse on behalf of Katrina H. This grievance against the State of New Hampshire and the circuit court family division seeks review by the general court of a court case, the adoption of legislation if applicable and providing of relief if appropriate.
Petitioner Representative Daniel Itse on behalf of Kevin Rondeau. This grievance against the State of New Hampshire and the circuit court family division seeks review by the general court of a court case, the adoption of legislation if applicable and providing of relief if appropriate.
Petitioner Representative Daniel Itse on behalf of Timothy Sanborn. This grievance against two marital masters seeks introduction of legislation regarding the family court division and an appropriation to return funds.

The Speaker announced that copies of Petitions are on file in the Clerk's Office.

MOTION TO REFER TO COMMITTEE

Rep. Itse moved that the Petitions be referred to the Committee on Children and Family Law.
Rep. Flanagan spoke against.
Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

YEAS 135 - NAYS 212

YEAS - 135

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Sylvia, Michael
Vadney, Herbert			

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Nelson, Bill
Wright, Ted			

CHESHIRE

Bordenet, John	McConnell, Jim	Roberts, Kris	Tilton, Benjamin

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christie, Rick	Coffey, James	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gidge, Kenneth
Gould, Linda	Goulette, William	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Lachance, Joseph	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Peterson, Ken
Proulx, Mark	Rice, Kimberly	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Timothy
Souza, Kathleen	Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Horn, Werner
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Patten, Dick	Seaworth, Brian	Wheeler, Deborah

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Berrien, Skip	Bush, Carol	Chirichiello, Brian	Cook, Allen
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Lundgren, David	McMahon, Charles
Oligny, Jeffrey	Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Woitkun, Steven	Wood, David

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Groen, Warren
Hannon, Joseph	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Converse, Larry	Laware, Thomas	Rollins, Skip

NAYS - 212

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
LeBreche, Shari	Spanos, Peter	Tilton, Franklin	

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Emerson, Susan	Hunt, John	Ley, Douglas	Mann, John
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Flanagan, Jack	Forest, Armand
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Jack, Martin	Jeudy, Jean
Kurk, Neal	LeBrun, Donald	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy	McNamara, Richard
O'Brien, Sr., Michael	O'Neil, William	Ober, Lynne	Ober, Russell
Palmer, Barry	Pellegrino, Anthony	Pierce, David	Roberts, Carol
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Straight, Phillip
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Long, Douglas	Luneau, David	MacKay, James	Moffett, Howard

Myler, Mel	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis
Christie, Andrew	Cushing, Robert	Devine, James	DiFranco, Debbie
Doucette, Fred	Elliott, Robert	Ferrante, Beverly	Fesh, Robert
Francese, Paula	Gordon, Pamela	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Katsakiores, Phyllis	Lovejoy, Patricia	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	Milz, David
Moody, Marcia	Nigrello, Robert	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Potucek, John	Sanders, Elisabeth	Simpson, Alexis
Sytek, John	Ward, Gerald	Webb, James	Welch, David
Weyler, Kenneth			

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Verschueren, James	Wall, Janet
Ward, Kenneth			

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Smith, Steven			

and the motion failed.

COMMUNICATION

January 8, 2015

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:
Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Merrimack County District No. 21
Dan McGuire, r, Epsom (700 Suncook Valley Hwy.) 03234

Sincerely,
William M. Gardner, Secretary of State

MOTION TO VACATE

Rep. Hunt moved that the House vacate the reference of **HB 251-FN,** excluding circumcision from the state Medicaid Plan, and **HB 325,** relative to the release of the names of winners of multi-state lotteries, to the Committee on Commerce and Consumer Affairs.
Motion adopted.

The Speaker referred **HB 251-FN** to the Committee on Health, Human Services and Elderly Affairs, and **HB 325** to the Committee on Executive Departments and Administration.

MOTION TO VACATE

Rep. Hinch moved that the House vacate the reference of **HCR 2,** applying to Congress to hold a convention for amendments, **HCR 3,** applying to Congress to call a convention of states under the

United States Constitution, **HCR 5,** calling for an article V convention for the purpose of considering a countermand amendment to the United States Constitution, and **HCR 6,** petitioning Congress for an Article V amendment convention to the Committee on Legislative Administration.
Motion adopted.

The Speaker referred **HCR 2, HCR 3, HCR 5** and **HCR 6** to the Committee on State-Federal Relations and Veterans Affairs.

MOTION TO VACATE

Rep. Andrew Christie moved that the House vacate the reference of **HB 472,** relative to the parole board and parole board procedures, to the Committee on Executive Department and Administration.
Motion adopted.

The Speaker referred **HB 472** to the Committee on Criminal Justice and Public Safety.

MOTION TO VACATE

Rep. Tholl moved that the House vacate the reference of **HB 636-FN,** relative to forfeiture of property, to the Committee on Criminal Justice and Public Safety.
Motion adopted.

The Speaker referred **HB 636-FN** to the Committee on Judiciary.

MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of **HB 508,** relative to the dissolution of the New Hampshire medical malpractice joint underwriting association, to the Committee on Judiciary.
Motion adopted.

The Speaker referred **HB 508** to the Committee on Commerce and Consumer Affairs.

MOTION TO VACATE

Rep. Major moved that the House vacate the reference of **HB 672-FN,** establishing a state bank, to the Committee on Ways and Means.
Motion adopted.

The Speaker referred **HB 672-FN** to the Committee on Commerce and Consumer Affairs.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
HB 181, relative to the definition of "meeting" under the right-to-know law, removed by Rep. Cali-Pitts.
Consent Calendar adopted.

HB 135, relative to qualifications of assistant election officials. **OUGHT TO PASS.**
Rep. James P. Gray for Election Law. This bill clarifies the age qualification for an individual to perform the duties of an assistant election official. Currently RSA 658:7-a states that an assistant election official "shall be 17 years of age as of the date on which such official initiates performance of the duties of office." By changing the words to "shall be at least 17 years of age" it is clear that 17 is the minimum age to be an assistant election official. Vote 11-0.

HB 173, relative to instruction on ballots. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert A. Luther for Election Law. This bill would change the wording on the ballot from "Vote for not more than" to "You may vote for" in RSA 656:17, 659:17 and 669:23. The committee felt that to change the language would create more confusion than it would clear up. Vote 11-0

HB 106, relative to marital assets in divorce proceedings. **INEXPEDIENT TO LEGISLATE.**
Rep. Timothy O. Horrigan for Judiciary. RSA 458:16-a governs the equitable division of the property of a marriage when the marriage ends. Currently, the court is allowed on a case-by-case basis to decide how to divide property acquired as a gift or inheritance. This bill, if passed, would have forbidden the court from counting such property as joint property. This bill would have caused numerous unintended consequences, and the committee deemed it inexpedient to legislate. Vote 17-0.

HB 120, relative to complaint procedures before the state commission for human rights. **INEXPEDIENT TO LEGISLATE.**
Rep. Barry J. Palmer for Judiciary. This bill would prohibit parties in discrimination complaints from coming together to resolve the complaints until after a probable cause is found, thereby forcing parties to spend time and money on cases that could have been settled much earlier in the process. Further, the bill noted that "reasonable time" should be given to prepare for the hearing with the 3-member commissioner panel. The term "reasonable time" is nebulous. All testimony from businesses, that would be the defendants, supported the process as it currently exists. The committee felt this bill was a solution to a problem that does not exist. Vote 18-0.

HB 172, establishing a commission to study the operations of small claims court. **INEXPEDIENT TO LEGISLATE.**
Rep. Timothy O. Horrigan for Judiciary. The sponsor introduced HB 172, establishing a commission to study the operations of small claims court, at the request of a constituent. Since the bill was introduced, the Judicial Branch changed the rules for small claims court. The sponsor recommended an inexpedient to legislate motion because the proposed commission may no longer be needed. The sponsor desires to see how the new rules will work. Vote 16-0.

HB 102, relative to consideration of warrant articles. **OUGHT TO PASS.**
Rep. James P. Belanger for Municipal and County Government. In 1994, House Bill 1443 was introduced to correct three problems specific to communities with 10,000 or more population. These problems dealt with the number of voters needed to call a special town meeting, authority of the governing body to sell town owned land, and selectmen authority to adopt town codes not required by RSA. During that bill's process through the House and Senate, the provision that all warrant articles on a town warrant had to be dealt with prior to final adjournment was added. Since the bill was specific to towns of 10,000 or more population, that inadvertently also applied to the warrant article issue. This criteria was not an issue until, more recently, some town meetings lasting many hours or over multiple days caused some voters to move to adjourn without taking up some warrant articles on the last part of the ballot. These were often petitioned articles and were denied an opportunity to be addressed by the town meeting because it adjourned before all business was conducted. This bill, HB 102, corrects that and provides that all towns, no matter their population, must take up all warrant articles on the warrant. They can be tabled, passed, defeated, etc., but they must be taken up and that should have been the effect in the 1994 bill and should never have had the 10,000 population stipulation applied to it. If an article is on the warrant, the meeting should take it up and deal with it. Vote 18-0.

HB 167, directing the commissioners of the department of resources and economic development and the department of environmental services to develop a business development plan to attract certain businesses to New Hampshire. **INEXPEDIENT TO LEGISLATE.**
Rep. Suzanne J. Smith for Resources, Recreation and Development. This bill would require the Department of Resources and Economic Development and Department of Environmental Services to work together to attract businesses to the state which would require a sustainable water supply. The committee heard testimony that DES has a strong partnership with DRED, and the agencies currently work together on all economic development recruitment or development projects for which environmental opportunities or concerns are identified. There were also concerns voiced that operations which are water dependent, such as breweries and beverage companies, could impact the state's water quality. Legislation enacted in 2014, Chapter 275, of Laws 2014, requires that these two agencies develop a 2-year economic development strategy and operating plan. Because this plan is in process, and DRED already markets the state to business and industry throughout the northeast, the committee unanimously agreed that HB 167 is unnecessary. Vote 17-0.

HB 174, establishing a committee to study the name and structure of the department of resources and economic development. **INEXPEDIENT TO LEGISLATE.**
Rep. Carol M. McGuire for Resources, Recreation and Development. This bill hoped to study the name and function of DRED, with the goal of renaming it to something with a less humorous acronym. After the sponsor investigated the situation, he realized that changing the name would involve something over $200,000 and it wasn't worth it. The committee agreed. Vote 18-0.

HB 103, limiting the capabilities of wireless communication devices in motor vehicles. **INEXPEDIENT TO LEGISLATE.**
Rep. Carolyn Halstead for Science, Technology and Energy. This bill would regulate cell phone devices whether you are driving or not and thus does not help with minimizing distracted drivers. It also implies that distractions only come from cell phone use, when in reality; it is a much broader problem that can be better dealt with by education programs. The sponsor concurs with this decision but would like to keep the distraction of cell phones while driving in the forefront. Vote 19-0.

HB 132-L, relative to time-based rates for electric service. **INEXPEDIENT TO LEGISLATE.**
Rep. John E. Mann for Science, Energy and Technology. This bill would have required a utility to adjust timing of off-peak outdoor lighting rates to accommodate evening community sporting events. An alternative solution was found by the bill's sponsor, making this bill unnecessary. The sponsor recommended ITL. Vote 17-0.

HB 121, making a technical correction to the negligent driving statute. **OUGHT TO PASS.**
Rep. Brian K. Chirichiello for Transportation. This bill makes a technical correction to change RSA 626:2, I(d) to II(d). The bill was requested by the Department of Safety and approved by committee. Vote 14-0.
Referred to the Committee on Criminal Justice and Public Safety.

HB 134, establishing a committee to study the use of motorized scooter chairs on roadways and sidewalks. **OUGHT TO PASS.**
Rep. Pamela T. Brown for Transportation. Many of our constituents use motorized scooter chairs as their primary mode of transportation and may be in jeopardy when using such devices on roads and sidewalks. Many of our towns and cities do not have adequate sidewalks, forcing those who use this mode of transportation into the street. This bill will study and make recommendations to enhance safe use of these devices, making our roads safe for all. Vote 14-0.

REGULAR CALENDAR

HB 115, repealing the allocation of gross appropriations from the highway fund in the state budget. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Gene G. Chandler for Public Works and Highways. For many years, citizens and lawmakers have been concerned with the amount of Highway Fund money that goes to other agencies. While most of these funds are constitutionally allowed, concerns were raised about having a cap on the amount that could go to other agencies. In 2003, a law was passed requiring that no less than 74% of unrestricted revenue from the Highway Fund shall be allocated to the Department of Transportation; no more than 24% shall be allocated to the Department of Safety and no more than 2% to other projects or departments that comply with Part II, Article 6A of NH's Constitution. In 2008, the law was amended to adjust gross highway fund allocations over 6 years (3 biennia) from FY 2010 - FY 2014, ending with the current allocation: not less than 73% for the Department of Transportation, not more than 26% to the Department of Safety and not more than 1% to other projects or departments that comply with Part II, Article 6A of the NH's Constitution. Since FY 2010, the legislature has approved and the Governor at the time has allowed two suspensions of RSA 9:9-b, resulting in the amount the Department of Transportation receives this FY to decrease to 66.97% and the amount Safety receives to increase to 31.87% and other projects and departments to increase to 1.16%. The committee is very concerned with this trend and strongly believes we should revert back to the original intent of RSA 9:9-b. If, during the current biennium, we had followed the language of the current statute, the Highway Fund would have received $28 million dollars for construction projects, etc. than it did receive and almost $39 million more since FY 2012. Is it no wonder that the general public is skeptical when it comes to trying to increase revenues to the Department of Transportation when we as a state cannot abide by the very laws we pass without suspending them and subverting the will of the legislature and NH's citizens? The amendment increases by two, the number of people who receive an annual report. Vote 15-0.

Amendment (0057h)

Amend the title of the bill by replacing it with the following:
AN ACT relative to reports on gross appropriations from the highway fund in the tentative state budget.
Amend the bill by replacing all after the enacting clause with the following:

1 State Budget; Tentative Budget; Reports. Amend RSA 9:6 to read as follows:

9:6 Tentative Budget. Upon the receipt of the efficiency expenditure requests called for by RSA 9:4 and the preparation of the estimates of income called for by RSA 9:5, and not later than November 1 next succeeding, the commissioner of administrative services shall cause to be prepared a tentative budget conforming as to scope, contents, and character to the requirements of RSA 9:3 and containing the efficiency expenditure requests and estimates of revenue as called for by RSA 9:4 and RSA 9:5, which tentative budget shall be transmitted to the director of the budget for submittal to the governor. The tentative budget shall comply with the requirements of RSA 9:9-b. The budget shall be made available in printed format and in at least one electronic computer file format in common use at the time. The sections of the budget that state: gross appropriations from the highway fund, the highway block grant aid appropriation, the highway fund appropriation to the department of safety, and highway fund appropriations that are transferred to other agencies that comply with part II, article 6-a of the New Hampshire constitution relative to the use of highway funds, shall be reported to the president of the senate, the speaker of the house of representatives, and the [~~chairmen~~] ***chairpersons*** of the house and senate standing committees on finance***, the house public works and highways committee, and the senate transportation committee***.

2 Effective Date. This act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill adds the house public works and highways committee and the senate transportation committee to the recipients of reports on gross appropriations from the highway fund in the tentative state budget.
Committee amendment adopted.
Committee report adopted and ordered to third reading.

HB 144, establishing a commission to study the long-term viability of the New Hampshire state port authority. **INEXPEDIENT TO LEGISLATE.**
Rep. Mark E. McConkey for Public Works and Highways. The Division of Ports and Harbors is assigned to the Pease Development Authority. There presently is an advisory committee in place (Port Authority Council). This council presently makes recommendations to the Division of Ports and Harbors concerning policy, programs and future goals. Their meetings are public and testimony presented to Public Works and Highways led the committee to believe that the proposed commission proposed in this bill was not necessary at this time. Vote 15-0.
Committee report adopted.

BILL REMOVED FROM THE CONSENT CALENDAR

HB 181, relative to the definition of "meeting" under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**
Rep. Robbie L. Parsons for Judiciary. This bill would add non-meeting requirements to the right-to-know law (91-A). The purpose of adding this is unclear in that it would/could add many types of non-meetings i.e. political caucuses, meetings with counsel, etc. This addition would cause confusion with the non-public meetings, which are very specific on what reasons a public body can enter into one. HB 181 is not needed and is unclear about many things. Vote 15-2.
Rep. Rowe spoke in favor and yielded to questions.
Rep. Cali-Pitts spoke against and requested a roll call; sufficiently seconded.

YEAS 302 - NAYS 52

YEAS - 302

BELKNAP

Comtois, Guy	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	LeBreche, Shari
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Mann, John
McConnell, Jim
Pearson, William
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Byron, Frank
Christensen, Chris
Coffey, James
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Kurk, Neal
Lachance, Joseph
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Notter, Jeanine
O'Brien, Sr., Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Silva, Peter
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Horn, Werner
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Moffett, Howard
Myler, Mel
Patten, Dick
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Berrien, Skip
Borden, David
Cahill, Michael
Chase, Francis
Chirichiello, Brian
Christie, Andrew

Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Pamela
Gordon, Richard
Guthrie, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Schroadter, Adam
Simpson, Alexis
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Thomas, Douglas
True, Chris
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Berube, Roger
Bixby, Peter
Burton, Wayne
Cheney, Catherine
DeLemus, Susan
DiSesa, Len
Gardner, Janice
Gray, James
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Turcotte, Leonard
Verschueren, James
Wall, Janet
Ward, Kenneth
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest
Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 52

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Hurt, George
Spanos, Peter

CARROLL

Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Parker, Harold

CHESHIRE

Roberts, Kris
Robertson, Timothy
Tilton, Benjamin

COOS

Hatch, William
Rideout, Leon

GRAFTON

Ingbretson, Paul
Johnson, Eric
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Burt, John
Christiansen, Lars
Christie, Rick
Donovan, Daniel
Ferreira, Elizabeth
Goulette, William
Guerette, C. Lee
Hopper, Gary
LeBrun, Donald
Murotake, David
Murphy, Keith
Souza, Kathleen
Straight, Phillip

MERRIMACK

French, Harold
Karrick, David
Long, Douglas
Ratzki, Mario
Rogers, Katherine

ROCKINGHAM

Abramson, Max
Bush, Carol
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Cook, Allen
Cushing, Robert
DiFranco, Debbie
Harris, Jeffrey
McMahon, Charles
Rice, Frederick
Tucker, Pamela
Ward, Gerald

STRAFFORD

Cilley, Jacalyn	Groen, Warren	Kaczynski, Jr., Thomas	Wuelper, Kurt

SULLIVAN

Converse, Larry

and the committee report was adopted.

MOTION TO AMEND HOUSE RULES

Rep. Carol McGuire moved that House Rules be amended to allow the deadline to amend Rules by a majority vote to be moved to today, February 4, 2015.

Rep. Carol McGuire spoke in favor and yielded to questions.

Rep. Chandler spoke against.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 120 - NAYS 235

YEAS - 120

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Hull, Robert	Ingbretson, Paul	Johnson, Eric	Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christie, Rick	Coffey, James	Cohen, Alan
Donovan, Daniel	Eastman, Eric	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gonzalez, Carlos	Gould, Linda
Halstead, Carolyn	Hansen, Peter	Hogan, Edith	Hopper, Gary
Lachance, Joseph	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Palmer, Barry	Parison, James	Rice, Kimberly	Schleien, Eric
Seidel, Carl	Silva, Peter	Simmons, Tammy	Souza, Kathleen
Sullivan, Victoria	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
Wolf, Terry			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Horn, Werner
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Patten, Dick	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Gannon, William	Gordon, Richard
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence

Kellogg, Shem	Lundgren, David	Oligny, Jeffrey	Osborne, Jason
Rice, Frederick	Schroadter, Adam	Spillane, James	Sweeney, Joe
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Weyler, Kenneth	Wood, David

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	DeLemus, Susan	Groen, Warren
Hannon, Joseph	Kaczynski, Jr., Thomas	Leeman, Don	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Gagnon, Raymond	Laware, Thomas

NAYS - 235

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
Spanos, Peter			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	Pearson, William	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Christiansen, Lars	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Edelblut, Frank	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Goulette, William
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Jack, Martin
Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal	LeBrun, Donald
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McCarthy, Peggy	McNamara, Richard	O'Brien, Sr., Michael	O'Neil, William
Ober, Lynne	Ober, Russell	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Shattuck, Gilman

Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Straight, Phillip	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Long, Douglas	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Christie, Andrew	Cushing, Robert	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Fesh, Robert
Francese, Paula	Gordon, Pamela	Guthrie, Joseph	Heffron, Frank
Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis	Lovejoy, Patricia
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Milz, David	Moody, Marcia	Nigrello, Robert
O'Connor, John	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Sanders, Elisabeth	Simpson, Alexis
Sytek, John	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Woitkun, Steven		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Mullen, John
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gottling, Suzanne	Grenier, James
Rollins, Skip	Smith, Steven		

and the motion failed lacking the necessary two-thirds vote.

Rep. Itse moved the adoption of a floor amendment to House Rule 30.

AMENDMENT TO HOUSE RULES

Proposed by Reps. Itse, Baldasaro and Ingbretson.

Amend House Rule 30, to read:

30. Committee names and duties. The following standing policy committees shall be appointed at the commencement of any session and will consist of not more than 24 members, with the exception of the House Finance Committee, which will have no more than 26 members: Children and Family Law; Commerce and Consumer Affairs; Criminal Justice and Public Safety; Education; Election Law; Environment and Agriculture; Executive Departments and Administration; Finance; Fish and Game and Marine Resources; *Government Oversight and Audit*; Health, Human Services and Elderly Affairs; Judiciary; Labor, Industrial and Rehabilitative Services; Legislative Administration; Municipal and County Government; Public Works and Highways; Resources, Recreation and Development; Rules; Science, Technology and Energy; State-Federal Relations and Veterans Affairs; Transportation; and Ways and Means. The Speaker may designate divisions within committees.

Amend House Rule 30 (g) to read as follows:

30 (g) It shall be the duty of the Committee on Executive Departments and Administration to consider matters pertaining to the general administration of state laws and changes therein; matters of policy pertaining to the executive departments; matters relating to the New Hampshire Retirement System; matters pertaining to the administration of professional licensing; ~~review of performance audits;~~ and such other matters as may be referred to it.

Amend House Rule 30 by adding the following:

30. (v) It shall be the duty of the Committee on Government Oversight and Audit to hear petitions for redress; to review all audit reports regarding the executive branch and the judicial branch; and to conduct all investigations of impeachment. The committee shall have authority to demand oaths of witnesses and to request that the House of Representatives issue subpoenas to provide testimony and/or material to the committee. For the purpose of reviewing audit reports the Speaker may appoint members from the standing committees responsible the subject area as special members; members from the Committee on Executive Departments and Administration shall be appointed for performance audits.

Amend House Rule 31 to read as follows:

31. Reporting: meeting. The committees shall promptly consider and report on all matters referred to them. ~~It shall also be the duty of each standing committee to review audits in the subject areas for which they are responsible and to consider suggestions for recommended legislation identified in such audits and monitor compliance with audit recommendations. In the case of performance audits, the standing committee shall coordinate its review with the Committee on Executive Departments and Administration.~~ The standing committees, or any special committees, shall meet during the session in the respective committee rooms at such times as the committee may determine, unless the House shall otherwise order. No committee shall meet while the House is in session unless the Speaker shall consider it necessary. The Speaker may authorize any committee having a heavy workload to meet as needed on non-legislative days.

Reps. Itse and Ingbretson spoke in favor.

Rep. Hess spoke against and yielded to questions.

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 119 - NAYS 236

YEAS - 119

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Sylvia, Michael
Vadney, Herbert			

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Wright, Ted

CHESHIRE

McConnell, Jim	Tilton, Benjamin

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Brown, Duane	Darrow, Stephen	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christiansen, Lars	Christie, Rick	Coffey, James
Donovan, Daniel	Eastman, Eric	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda	Goulette, William
Guerette, C. Lee	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Hopper, Gary	Lachance, Joseph	McClarren, Donald	McLean, Mark

Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
Ohm, Bill
Parison, James
Rice, Kimberly
Schleien, Eric
Seidel, Carl
Silva, Peter
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Horn, Werner
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Patten, Dick
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Allen, Mary
Baldasaro, Alfred
Bates, David
Bush, Carol
Chirichiello, Brian
Cook, Allen
Duarte, Joe
Emerick, J. Tracy
Gannon, William
Gordon, Richard
Harris, Jeffrey
Hodgdon, Bruce
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Oligny, Jeffrey
Osborne, Jason
Peckham, Michele
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Wood, David

STRAFFORD

Beaudoin, Steven
DeLemus, Susan
Groen, Warren
Hannon, Joseph
Kaczynski, Jr., Thomas
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Laware, Thomas
Rollins, Skip

NAYS - 236

BELKNAP

Dumais, Russell
Fields, Dennis
Flanders, Donald
Gallagher, Brian
LeBreche, Shari
Spanos, Peter
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Mann, John
Pearson, William
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Edelblut, Frank	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Jack, Martin	Jeudy, Jean
Katsiantonis, Thomas	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy
McNamara, Richard	O'Brien, Sr., Michael	O'Neil, William	Ober, Lynne
Ober, Russell	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Shattuck, Gilman
Shaw, Barbara	Simmons, Tammy	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Long, Douglas	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Christie, Andrew	Cushing, Robert	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Gordon, Pamela	Guthrie, Joseph
Heffron, Frank	Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis
Lovejoy, Patricia	Lundgren, David	Major, Norman	Matthews, Carolyn
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Milz, David
Moody, Marcia	Nigrello, Robert	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Potucek, John	Sanders, Elisabeth	Simpson, Alexis
Sytek, John	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Jones, Laura	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Smith, Steven		

and the amendment failed lacking the necessary two-thirds vote.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, February 11, 2015 at 10:00 a.m. Motion adopted.

LATE SESSION

Third reading and final passage

HB 135, relative to qualifications of assistant election officials.
HB 102, relative to consideration of warrant articles.
HB 134, establishing a committee to study the use of motorized scooter chairs on roadways and sidewalks.
HB 115, relative to reports on gross appropriations from the highway fund in the tentative state budget.

UNANIMOUS CONSENT

Rep. Mangipudi requested Unanimous Consent of the House in regards to a diversity celebration and addressed the House.
Rep. Umberger requested Unanimous Consent of the House in regards to memorial remarks for the former Representative from Conway, the Honorable Howard "Crow" Dickinson and addressed the House.
Rep. Flanagan requested Unanimous Consent of the House in regards to an apology and addressed the House.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Umberger be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Umberger: Thank you, Mister Speaker. Forty years ago on the first Wednesday in December, Howard Crow Dickinson sat here in this chamber and raised his hand for the first time to be sworn in as a State Representative from Conway. He would take the oath of office fifteen more times. For thirty-two consecutive years, Crow would drive from Conway to the state house to do the people's business. Crow was always affable and well liked by the myriad of legislators he met in those thirty-two years. His easygoing nature and gentlemanly conduct were hallmarks of his time at the state house and the major reason he had so many friends. He was also well liked by the legislative staff as can be attested to by the number of times folks would inquire, how is Crow doing? Crow had many accomplishments, but the ones he was most proud of were the development of the current use assessment regulations and the skier's liability policy. These two accomplishments have had a profound effect on the fabric of New Hampshire. Crow served twenty years on the Resources, Recreation and Development Committee with ten years as its Chairman. He also served on Ways and Means and Election Law. Let me digress just a little. Crow along with many other legislators would stay at the Highway Hotel. A lot of business, as well as monkey business, occurred. It provided for a comradery among legislators and an opportunity to cuss and discuss what was happening in the various committees as well as votes to be taken on the floor. Another infamous place was the American Legion. I understand Crow spent time during Session days enjoying the various offerings that were available to the legislators who were veterans. I need to point out this was before the voting machines were installed. How things have changed. Crow was also known for his chocolate chip cookies, particularly around this time of year when he would bring batches into the various legislative offices and as I understand, they were absolutely delectable. Who knew that Crow himself was a cookie monster? He did agree to let the folks know his secret for these wonderful cookies after many years of asking. His secret, follow the recipe for chocolate chip cookies on the bag of chips, add a little more brown sugar and then double the chips! The legislative staff had thought it was an old family recipe, but it was simply more chips. As with everything involving Crow, more

was better. I know there are many other stories out there, some I am sure are best untold, but think about the good ones and how Crow Dickinson influenced your life. In addition to his legislative duties, he served on many local and state boards. Prior to his election as a State Representative, he served as a Conway selectman and was elected again as a Conway selectman once he left the legislature. Crow was well liked throughout the community and if you needed help of any kind, Crow was the person to call. Crow carried a cell phone, but that was as far as he would go in the world of technology. I had talked to him several times about hooking up to the internet, however, that was not in the cards and no amount of cajoling would change his mind. He believed in getting his information the old fashion way, talking on the phone, reading the newspapers, listening to the radio, getting copies of documents to be read and studied at his leisure. All I can say is this was Crow and no one was going to change how he obtained his information. Crow graduated from Harvard in 1958, served as an Ensign in the US Navy, worked in international banking and in 1968, received his master's degree in forestry from Yale University. Forestry was definitely his life's work. His legislative career spanned from 1974 to 2006. He passed away October 8, 2014. I would like to thank the Honorable Howard "Crow" Dickinson for his years of service to his country, his state and his town. He was truly one of a kind.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former Representative from Conway, the Honorable Howard "Crow" Dickinson.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 11:45 a.m.

RECESS

(Rep. Packard in the Chair)

RESOLUTION

Rep. Richard Gordon offered the following: RESOLVED, that pursuant to House Rule 35c and in accordance with the list in the possession of the Clerk, House Resolution numbered 12 shall be by this resolution read a first and second time by the therein listed title.
Motion adopted.

INTRODUCTION OF HOUSE RESOLUTION

First, second reading

HR 12, affirming revenue estimates for fiscal years 2015, 2016 and 2017.

RECESS

(Speaker Jasper in the Chair)

Rep. Chandler moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 5

Wednesday, February 11, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

O God of inspiration and energy, there are days when we wonder where our strength has gone, when we're not sure we can manage everything we're called upon to do. There are days when we despair of the burdens of responsibility that threaten to overwhelm us. As we set our minds and our hands to the work of these coming weeks, help us to use our time and resources effectively. Bless us with creativity, agile thinking, and a sense of proportion; help us to seek rest and restoration when our reserves are low and open our eyes to the many opportunities You give us to support, encourage, and learn from one another, as we strive together to serve the people of New Hampshire and to seek the common good. Amen.

Representative Jean Jeudy, member from Manchester, and Representative Kris Roberts, member from Keene, led the Pledge of Allegiance.

The National Anthem was sung by Leonard Bell, a teacher at Smyth Road Elementary School in Manchester.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Francis Chase, Gladys Johnsen, Martel, McClarren, Milz, O'Hearne, Parkhurst, Russell, Sterling and Joe Sweeney, the day, illness.

Reps. Avellani, Beaulieu, Coffey, Crawford, DeSimone, Fromuth, Hess, Hurt, LeBreche, Martin, Nordgren, Priestley, Carol Roberts, Rokas, Sanborn, Silva, Gregory Smith, Sykes, Treleaven, Vann and Weber, the day, important business.

Rep. Marjorie Smith, the day, illness in the family.

INTRODUCTION OF GUESTS

Ojashwi Giri and Samuel Alicea, Students from Merrimack Valley High School, Pages for the day. Dennis Green, guest of Reps. Weyler, Welch and Guthrie. Yvonne Dean-Bailey, guest of Rep. Spillane. Stephanie Alicea, daughter of Rep. Alicea. Fourth graders from Sant Bani School in Sanbornton, guests of Rep. Gallagher.

COMMUNICATION

February 5, 2015

To whom it may concern,

Due to increased demands in both my personal and professional life, I will be unable to complete my term as New Hampshire State Representative for Rockingham County – District 13. I therefore resign, effective immediately.

Sincerely,
Rep. Ann M. Howe

The Speaker accepted the resignation.

MOTION TO SUSPEND HOUSE RULES

Reps. Flanagan and Shurtleff moved that House Rules be so far suspended as to allow for late drafting and introduction of HB 1-A, HB 2-FN-A-L and HB 25-FN-A.

Motion adopted by the necessary two-thirds vote.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

HB 492, relative to military and historic reenactments and commemorations, removed by Rep. Hoell.

HB 133, relative to recounts on questions, removed by Rep. Bates.

HB 101, relative to prescription refills, removed by Rep. Dan McGuire.

CACR 8, relating to the nomination and appointment of officers. Providing that judicial officers shall be confirmed by the legislature, removed by Rep. Hoell.

HB 246, relative to jury nullification, removed by Rep. Hoell.

HB 338, relative to nomination of candidates for United States senator, removed by Rep. Hoell.

HR 6, recognizing February 26, 2015, as the 23rd anniversary of the Khojaly Tragedy in Azerbaijan, removed by Rep. Tucker.

HR 8, commemorating the 50th anniversary of the Social Security Act of 1965, removed by Rep. Horrigan.

HB 145, allowing municipalities to dedicate a percentage of timber yield taxes to the conservation fund, removed by Rep. Porter.

Consent Calendar adopted.

HB 118, relative to vehicular assault. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Len DiSesa for Criminal Justice and Public Safety. The NH Department of Safety supports this bill, and the bill amends the vehicular assault statute in RSA 265:79-a in response to a ruling of the NH Supreme Court (State v. Rollins-Ercolino, 149 NH 336 (2003)) that the current wording violates Part I, Article 15 of the NH Constitution by shifting the burden of proof to the defendant and removing the evidence-weighing function of the jury regarding an element of the crime. The bill deletes the last line of the statute paragraph: "Evidence that the driver violated any of the rules of the road shall be prima facie evidence that the driver caused or materially contributed to the collision." The intent raised another concern of a potential language problem that the amendment to the bill eliminates: every misdemeanor or felony crime must have a mens rea (a culpable state of mind), and the criminal code itemizes four culpable states of mind, purposely, knowingly, recklessly, and negligently. This statute begins with the statement, "Whoever, without intent..." The department believes that the law would not survive a challenge on that portion of it and that police and prosecutors may be reluctant to bring charges under the statute for that reason. Therefore, the amendment removes the words "without intent" from the statute paragraph, and further amends it in this manner: the wording, "...where such person's unlawful operation of the propelled vehicle...." is changed by removing the word "unlawful" and substituting the word "negligent" to wit: "...where such person's negligent operation of the propelled vehicle." Vote 16-0.

Amendment (0056h)

Amend RSA 265:79-a as inserted by section 1 of the bill by replacing it with the following:

265:79-a Vehicular Assault. Any person who[~~, without intent,~~] causes death or serious bodily injury as defined in RSA 625:11, VI to another while using a vessel or propelled vehicle as defined in RSA 637:9, III shall be guilty of a class A misdemeanor, where such person's [~~unlawful~~] ***negligent*** operation of the propelled vehicle or vessel causes or materially contributes to the collision. [~~Evidence that the driver violated any of the rules of the road shall be prima facie evidence that the driver caused or materially contributed to the collision.~~]

AMENDED ANALYSIS

This bill deletes the last sentence of the vehicular assault statute pursuant to the New Hampshire supreme court ruling in State v. Rollins-Ercolino, 149 N.H. 336 (2003), which held that the last sentence of the statute violates part I, article 15 of the New Hampshire constitution by shifting the burden of proof to the defendant and removing the evidence-weighing function of the jury regarding an element of the crime. The bill also adds a more specific requirement of culpability for the operation of a vehicle or vessel.

HB 282, relative to removal or impoundment of a vehicle. **INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for Criminal Justice and Public Safety. The majority of the committee saw some unintended issues with removing line 16 and 17 in RSA 262:32, "and the vehicle will be a menace to traffic if permitted to remain." In that case, the officer may tow the car even if parked in a non-menace area of the roadway. The owner that was arrested may not want the car towed. The majority

feels the owner of the car should have a say and the current law allows that. If the car is parked in a menace area of a roadway the officer under the current law can have the car towed. The current law allows a balance which works well for the officer and person being arrested. Vote 13-3.

HB 152, establishing a state poem. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, brought at the request of a NH citizen, proposed to adopt his favorite poem as the state poem. While the Committee recognized the heartfelt sentiments contained in the work, penned during WWII by an American serviceman deployed thousands of miles away from his deeply loved native land, we also plainly saw several problems, which rendered it unsuitable as the state poem. Vote 15-0.

HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John Sytek for Executive Departments and Administration. This bill is a request from the Department of Safety. The bill transfers regulatory (rule making) authority over the purchase, storage and transportation of explosives and fireworks from the Director of the State Police to the Commissioner of Safety. The bill makes no changes in any rule. Future rule making responsibility would rest with the Commissioner. This will not cause any problems since all rules from the State Police already require the approval of the Commissioner. In fact, the motivation for this bill is a result from a study ("the LEAN process") conducted by the Department to improve efficiency and customer service. Vote 15-0.

Amendment (0067h)

Amend RSA 158:9-c, VI as inserted by section 3 of the bill by replacing it with the following:

VI. There shall be a fee of $100 for any competency examination or renewal certificate [~~given by the director of state police for any examination or certificate~~] given under this subdivision.

HB 182, establishing a committee to study alternative public employee retirement plans. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter T. Hansen for Executive Departments and Administration. The sponsors requested the Committee vote this bill Inexpedient to Legislate as the subject matter will be studied by the Special Committee on Public Employee Pension Plans. Vote 15-0.

HB 217-FN, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This bill prevents the Pharmacy Board from charging the license renewal fee or any other assessments for the years the applicant's license had lapsed. The board is only allowed to charge a restoration fee and the current year's license fee. Vote 15-0.

HB 573-FN, relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, requiring skills training courses for applicants for such licensure and license renewal, and relative to the certification of security officer instructors. **INEXPEDIENT TO LEGISLATE.**
Rep. John Sytek for Executive Departments and Administration. The sponsor requested that the Committee report this bill as Inexpedient to Legislate. He testified that due to deadline pressure the bill, as drafted, had too many problems for correction by an amendment. The sponsor plans to introduce the substance of the bill in a subsequent session. Vote 15-0.

CACR 7, relating to funding substance abuse treatment. Providing that all moneys received for the substance abuse treatment fund under RSA 172:14 and all the interest received on such moneys shall, after deducting the necessary costs of administration, be appropriated and used exclusively for the substance abuse treatment fund. Such moneys shall be used exclusively for the purpose of the substance abuse treatment fund and shall not be transferred or diverted to any other purpose. **INEXPEDIENT TO LEGISLATE.**
Rep. Frank A. Byron for Finance. This constitutional amendment provides that all monies received under RSA 172:14, along with all interest received on such monies would, after deductions for administrative costs, be appropriated and used exclusively for the purpose of the substance abuse treatment fund and shall not be transferred or diverted to any other purpose. This CACR would appear on the 2016 state ballot. It was agreed that this amendment would take away all discretion

from the legislature to determine the appropriate funding of the substance abuse program. We believe that the legislature is fully capable of assigning an appropriate funding level. Further, it was not clear to the committee how much money from the gross profits of the liquor commission or the substance abuse funds available through medicaid would be apportioned into the dedicated fund, which was the subject of CACR 7. For these reasons, a majority of the committee along with the prime sponsor agreed that Inexpedient to Legislate was appropriate. Vote 23-1.

HB 239-FN-A, establishing a statutory commission to study the creation of a state retirement security program and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**
Rep. J. Tracy Emerick for Finance. This bill proposes to establish a study commission and fund it with $100,000. The study commission would study a method to set up retirement savings accounts for workers in NH without a company paid pension and to allow payroll deductions to fund the account, periodic reporting on monies in the account, be self-sustaining, allow employees to port this account from one employer to another, qualify for all federal tax deductions, and be professionally managed. During public hearings, the committee learned about a recently established federal program that meets all of the stated criteria. MyRA (My Retirement Account) is a federal program that has regular reporting, payroll deductions to make it easy for employees to save, is professionally managed by the US Treasury, allows portability and allows participants to move balances of $15,000 or more into a ROTH account, which requires no minimum distribution when a participant reaches 70 and one half. The committee believes this program is not needed at the state level and that employees should begin setting up their accounts, which can be done on-line in about 10 minutes. Employer resources have already been developed for this plan. Vote 22-0.

HB 333, establishing a process for review and reporting of dedicated funds. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Karen C. Umberger for Finance. This bill provides a process for review and reporting of dedicated funds. The bill establishes a joint committee to review all dedicated funds over a five-year period with specific agencies identified in each of the five years. The joint committee may recommend legislation to modify or repeal certain funds or add newly discovered dedicated funds to RSA 6-12. The joint committee will consult with the standing committee responsible for the fund to determine if the fund or account no longer serves the statutory purpose for which it was created, or the purpose has become obsolete, and submit legislation to repeal or modify the fund. Systematic review of dedicated funds is long overdue and this bill will ensure that all dedicated funds are serving the purpose for which they were created. Vote 24-1.

Amendment (0185h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; State Treasurer and Accounts; Joint Committee on Dedicated Funds; Agency Review and Reporting of Dedicated Funds. Amend RSA 6 by inserting after section 12-h the following new sections:

6:12-i Joint Committee on Dedicated Funds.

I. A joint committee on dedicated funds is hereby established to review the finances and purpose of all dedicated funds on a rotating basis every 5 years and recommend continuance, amendment, or repeal of relevant provisions. The joint committee shall be composed of 3 members of the house of representatives appointed by the speaker of the house of representatives, 2 from the ways and means committee and one from the finance committee, and 2 members of the senate appointed by the senate president, at least one of whom shall come from the ways and means committee. The speaker of the house of representatives also shall appoint 2 alternate members to the committee and the senate president shall appoint one alternate member. The first meeting shall be within 60 days after the effective date of this paragraph and called by the first-named house member.

II. The joint committee shall file reports with recommendations for legislation to modify or repeal certain funds and to add newly discovered dedicated funds to RSA 6:12, I, on or before November 1 of each year, with the speaker of the house, the senate president, the governor, and the commissioner of revenue administration. Reports required by this section shall be made available to the general public on the general court's website.

6:12-j Review and Reporting Requirement for Dedicated Funds.

I. Every 5 years, the agency responsible for administration of a fund or account listed in RSA 6:12 shall prepare a report that:

(a) In addition to the information contained in the report submitted under RSA 6:12-e, identifies all fund or account expenditures during the prior 4 fiscal years by accounting unit; and

(b) Demonstrates the continued need for the fund or account.

II. The report shall be submitted on or before August 15 of the reporting year to the ways and means committee in the house and senate, the finance committee in the house and senate, the joint committee on dedicated funds, the relevant policy committees in the house and senate, and the legislative budget assistant.

III. If the joint committee on dedicated funds, in consultation with the relevant policy committee, determines that the fund or account no longer serves the statutory purpose for which it was created, or that the purpose has become obsolete, the joint committee shall submit legislation to repeal, merge, or modify the fund or account in the next legislative session.

IV. The joint committee shall also annually request information of the department of administrative services as to dedicated funds which are not yet listed in RSA 6:12, I and submit legislation to add them to this list.

V. The reporting year for each agency responsible for a dedicated fund shall be as follows:

(a) Year 1, beginning November 1, 2015, and every 5 years thereafter:

(1) The department of safety.

(2) The police standards and training council.

(3) The department of employment security.

(4) The department of resources and economic development.

(5) The department of state.

(b) Year 2, beginning November 1, 2016, and every 5 years thereafter:

(1) The department of environmental services.

(2) The liquor commission.

(3) The department of justice.

(4) The lottery commission.

(5) The racing and charitable gaming commission.

(6) The judicial branch.

(c) Year 3, beginning November 1, 2017, and every 5 years thereafter:

(1) The department of agriculture, markets and food.

(2) The labor department.

(3) The department of corrections.

(4) Pease development authority.

(5) The office of energy and planning.

(6) The adjutant general.

(7) The state treasurer.

(8) The insurance department.

(9) The department of transportation.

(d) Year 4, beginning November 1, 2018, and every 5 years thereafter:

(1) The department of cultural resources.

(2) The department of education.

(3) The banking department.

(4) The public utilities commission.

(5) The retirement system.

(e) Year 5, beginning November 1, 2019, and every 5 years thereafter:

(1) The department of administrative services.

(2) The general court.

(3) The department of health and human services.

(4) The fish and game department.

VI. The joint committee on dedicated funds may submit legislation at any time after the first review to exempt a fund or account from this section which receives adequate and periodic review elsewhere.

2 Effective Date. This act shall take effect 60 days after its passage.

HB 117, relative to providers prescribing cannabis for therapeutic purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs. Legislation has been in place to initiate the highly complex process of establishing a medical cannabis treatment program.

The department of health and human services has put a high priority on the important service. Considerable progress has been achieved including the development of required administrative rules. The committee felt that the current legislation should be put into place and future legislation should be considered after gaining experience from its evolution. Vote 16-0.

HB 129, relative to unused prescription drugs. **INEXPEDIENT TO LEGISLATE.**
Rep. Joanne A. Ward for Health, Human Services and Elderly Affairs. This bill seeks to take unused prescription drugs out of medicine cabinets and homes. The bill's intent is to prevent these drugs from misuse or from "hitting the streets." As written, the intent of the bill could not be easily implemented. As a result of that, the substance of the bill will be referred to the Governor's Commission on Alcohol and Drug Abuse Prevention. Vote 16-0.

HB 164, relative to processing applications for the therapeutic use of cannabis. **INEXPEDIENT TO LEGISLATE.**
Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. This bill would require the department of health and human services to begin processing applications for registry identification cards no later than July 25, 2015. Committee members were concerned that this requirement would produce inefficiency and extra work for the department, as the cards are to be issued for use at a specific facility, and cards would have to be re-issued when a final decision was made as to facility location. Additionally, there was concern that proponents of the bill believed that possession of the card would allow the possession of marijuana obtained prior to the opening of the NH dispensaries, but that is not the case. Vote 18-0.

HB 165, relative to the definition of "qualifying medical condition" for the therapeutic use of cannabis. **INEXPEDIENT TO LEGISLATE.**
Rep. James R. MacKay for Health, Human Services and Elderly Affairs. The Committee recognized that existing legislation is in place to initiate a medical cannabis treatment program. The department of health and human services is in charge of implementing this complex program. It is recognized that additional legislation may be required after the department has the benefit of learning how the treatment program is initiated. It is recommended that most proposed legislation wait for the programs to be organized and evaluated. Vote 17-1.

HB 190, establishing a committee to study the standards for collaborative pharmacy practice. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James R. MacKay for Health, Human Services and Elderly Affairs. This legislation, as amended, establishes a commission to study standards for collaborative pharmacy practice. A number of protocols have been established on a national level. The commission will give the various pharmaceutical organizations in New Hampshire the opportunity to resolve differences as to how collaborative pharmacy practices can be utilized. The commission is requested to provide legislative and non-legislative solutions. The commission will be repealed immediately after it's reported as submitted on November 1, 2015. Vote 17-0.

Amendment (0164h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a statutory commission to study the standards for collaborative pharmacy practice.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose. Today more and more Americans are suffering from chronic diseases, taking multiple medications, and struggling with higher and higher healthcare costs. The establishment of a commission to study standards for collaborative pharmacy practice is an important first step for the state of New Hampshire to move towards fully utilizing pharmacists to improve health outcomes and to lower healthcare costs. Pharmacists represent the third largest profession and consistently rank among the most accessible and trusted of healthcare professions. It is imperative the state of New Hampshire take this step in expanding access to team-based care and ensuring that pharmacists are allowed to be on the team when a physician deems it necessary.

2 New Section; Collaborative Pharmacy Practice; Commission Established. Amend RSA 318 by inserting after section 16-b the following new section:

318:16-c Commission to Study the Standards for Collaborative Pharmacy Practice. There is established a commission to study the standards for collaborative pharmacy practice.

I. The members of the commission shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives, 2 of whom shall be members of the health, human services and elderly affairs committee and one of whom shall be a member of the executive departments and administration committee.

(c) A representative of the New Hampshire Society of Health-System Pharmacists, appointed by the society.

(d) A representative of the New Hampshire Pharmacists Association, appointed by the association.

(e) A representative of the New Hampshire board of pharmacy, appointed by the board.

(f) A representative from the Coalition of New Hampshire Chain Drug Stores, appointed by the coalition.

(g) A representative from the New Hampshire Independent Pharmacy Association, appointed by the association.

(h) A provider from a healthcare facility that is currently participating in a collaborative practice agreement approved by the board of pharmacy, appointed by the board.

(i) A pharmacist from a healthcare facility that is currently participating in a collaborative practice agreement approved by the board of pharmacy, appointed by the board.

(j) A representative from the New Hampshire Hospital Association, appointed by the association.

(k) A representative of the New Hampshire Medical Society, appointed by the society.

(l) A representative of the board of nursing, appointed by the board.

(m) A representative of the New Hampshire Nurse Practitioners Association, appointed by the association.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission's study shall include, but not be limited to:

(a) Reviewing RSA 318:16-a and discussing of areas where it is working effectively and where there are areas for improvement in the current framework of regulatory oversight;

(b) Studying the national standards for best practice of collaborative practice;

(c) Defining the appropriate training required for a pharmacist to engage in different scopes of practice;

(d) Discussing how to expand access to collaborative practice pharmacy services to New Hampshire citizens in order to provide greater access to cost-effective care;

(e) Defining collaborative pharmacy practice environments to ensure safety;

(f) Identifying recommended solutions, both legislative and non-legislative;

(g) Reviewing any other matter the committee deems relevant to its objective.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Five members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

3 Repeal. RSA 318:16-c, relative to the commission to study the standards for collaborative pharmacy practice, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 2, 2015.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a statutory commission to study the standards for collaborative pharmacy practice.

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards. **OUGHT TO PASS.** Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs. This bill is the product of the interim study committee charged in 2014 to address the management and oversight of cash and product benefits provided to qualifying NH citizens using the Electronic Benefits Transfer/EBT card. The EBT card is used for the SNAP (food stamp) benefit program and the four cash assistance

programs known as TANF, APTD, OAA & ANB. In order to improve and enhance oversight and tighten management controls, the committee worked collaboratively with stakeholders and the department to address EBT card restrictions by location, technology enhancements and improved education outreach. The bill reflects the committee consensus to support a cost effective methodology to enhance EBT rule compliance and reduce the incidence of misuse of the cash benefit. We move towards this goal by increasing the management of ATM and point of sale store registers utilizing the department's new merchant category codes tool now in place. Vote 17-0.

HB 330, establishing an oversight commission for medical cost transparency. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs. This bill provides for the establishment of a commission to provide active oversight of the development of the NH Health Cost website. The amendment adds two public members. This resource, when completed, shall provide a cohesive resource for medical cost transparency for NH citizens in search of knowing what a medical procedure will cost, what insurance will cover and what the out-of-pocket expenses will be. The goal of the commission is to ensure a timely completion of this effort as time is of the essence. To motivate a timely completion, the commission shall have strong stakeholder participation as detailed in the bill and a sunset of the commission to motivate timely completion of this important work. Vote 18-0.

Amendment (0158h)

Amend RSA 400-A:67, II(e)-(g) as inserted by section 1 of the bill by replacing it with the following:

(e) Two public members who shall represent New Hampshire patients, appointed by the governor.

(f) A representative of the New Hampshire Hospital Association, appointed by the association.

(g) A representative of the New Hampshire Medical Society, appointed by the society.

(h) One member representing the private health insurance industry, appointed by the governor.

Referred to the Committee on Finance.

HB 247, prohibiting the assignment and acceptance of recommendations of unauthorized judicial referees. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt F. Wuelper for Judiciary. This bill intended to correct deficiencies in the family courts' use of referees. The bill, however, addressed RSA 493-A:1 Judicial Referees and RSA 490-F:15 Referees and so would have no effect on family court referees. Vote 14-0.

HB 107, relative to the retention of municipal trust fund bank statements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ken S. Peterson for Municipal and County Government. This bill, as amended, serves to clarify the types of records that trust funds are required to retain or are permitted to dispose of, and specifies the length of time they must be retained. It codifies the ability to use electronic documents in addition to paper documents. This bill replaces RSA 33-A3-a, CXXXVIII (Disposition of Municipal Records; Disposition and Retention Schedule CXXXVIII. Trust fund minutes, quarterly reports, and bank statements: permanently) with the requirement that Trust Fund minutes and quarterly reports be retained permanently in either paper for electronic format; and bank statements be retained for 6 years after audit in paper or electronic format. Vote 20-0.

Amendment (0052h)

Amend the bill by replacing section 1 with the following:

1 Disposition of Municipal Records; Disposition and Retention Schedule. RSA 33-A:3-a, CXXXVIII is repealed and reenacted to read as follows:

CXXXVIII. Trust fund:

(a) Minutes and quarterly reports, in paper or electronic format: permanently.

(b) Bank statements, in paper or electronic format: 6 years after audit.

HB 154, relative to the power of towns to adopt bylaws and ordinances. **INEXPEDIENT TO LEGISLATE.**

Rep. James E. Coffey for Municipal and County Government. This legislation seeks to amend RSA 31:39, which lists the powers and duties of the towns to make regulations and bylaws, to add to it all the powers and duties of RSA 47:17, which regulates the power of city councils to enact bylaws and ordinances. During the testimony and in the ensuing discussion the committee found that most of the concerns the bill's supporters had were addressed in numerous other laws. The

power to regulate roads was discussed at some length and seemed to be a major concern that could be easily handled by other existing laws. RSA 47:17 is a very old statute that addresses such things as artificial curiosities, destruction of gaming devices, stables, tanneries, clothing worn by bathers, geese, swine, and countless other items from earlier centuries. While much of this archaic language can be translated into a more modern parlance, it seemed better not to attach RSA 47:17 to RSA 31:39, but to amend RSA 31:39 in the future if necessary. Vote 18-0.

HB 155, relative to municipal contracts for police chief. **OUGHT TO PASS.**
Rep. David A. Bickford for Municipal and County Government. This bill codifies allowing municipalities to designate a police chief by contract for a fixed term. The New Hampshire Supreme Court decided in Kassotis v. Fitzwilliam 2014, Aug 28, that failure to renew a public employee contract was not the same as dismissal. Some municipalities would prefer to hire for a fixed period. This bill puts the court decision in statute that will be more visible to hiring communities. Vote 18-0.

HB 166-L, relative to records storage by municipalities. **OUGHT TO PASS.**
Rep. Bruce L. Tatro for Municipal and County Government. This bill allows storage of records in other than paper form. Electronic storage and other media format is added to RSA 31:132. Vote 20-0.

HB 186, enabling the department of environmental services and the town of New Ipswich to negotiate an agreement regarding the encroachment of the town cemetery on state land. **INEXPEDIENT TO LEGISLATE.**
Rep. James E. Coffey for Municipal and County Government. This bill is no longer required since it has been replaced by HB 275. Vote 15-0.

HB 275, relative to the encroachment of a town cemetery on state-owned land. **OUGHT TO PASS.**
Rep. James E. Coffey for Municipal and County Government. This bill provides the framework to better facilitate the resolution of a problem caused by a New Ipswich town cemetery boundary being misunderstood by the town, which resulted in graves being located on state land managed by the New Hampshire Department of Environmental Services adjacent to a flood control dam on the West Branch of the Souhegan River. This bill will allow both parties to enter into a lot line adjustment and the town to move those graves that could interfere with maintenance of the flood control dam. It also allows the town to call a special town meeting, if needed. The New Ipswich selectmen and the Commissioner of DES support this legislation and both parties have already started work on resolving the problem. Vote 15-0

HB 344, relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts. **OUGHT TO PASS.**
Rep. Franklin W. Sterling for Municipal and County Government. The purpose of this bill is to give the local legislative body the authority to raise or lower the financial plan submitted by the governing body. Currently the statute only allows the legislative body to accept or reject the financial plan as submitted. This bill would allow the legislative body to deliberate the proposal and to increase or decrease the plan. Second, the bill would allow for the appointment of members from the community at large to the advisory committees when the municipality is unable to find enough members from the economic zone. Vote 16-2.
Referred to the Committee on Ways and Means.

HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services. **OUGHT TO PASS.**
Rep. John A. Mullen for Resources, Recreation and Development. The bill allows the department of environmental services to acquire easements at the Back Lake dam in Pittsburg, Lake Armington dam in Piermont, Cass Pond dam in Epsom, and Chesham Pond dam in Harrisville, for the purpose of repairing the dams. All four dams are in need of repair and are scheduled to be repaired in the next biennium. However, while the dams are owned by the state agencies they do not own some of the immediate abutting land and require easements to access the dams to conduct the repairs. Therefore, they are seeking the authority to seek an easement. Under RSA 482:44, it requires an act by the legislature to authorize these agencies to be able to seek such easements. The committee felt that this was prudent to allow the acquisition of easements as required by statute to be able to repair the dams and keep them safe. Vote 19-0.

HB 254, relative to exceptions to restrictions on boating. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Carolyn L. Matthews for Resources, Recreation and Development. According to RSA 270:75, only state employees are exempt from the prohibition against use of outboard motors or power boats in restricted waters, and only when an emergency or other extraordinary situation occurs. This bill extends that exemption to municipal employees engaged in emergency rescue operations or training. While exempting the restriction on municipal employees engaged in emergency rescue is critical, other public water bodies without restrictions are available for training. The Department of Safety recommended deleting "or training" due to the need to protect sensitive public waters, which the committee agreed to in the amendment. Vote 19-0.

Amendment (0180h)

Amend RSA 270:75, II as inserted by section 1 of the bill by replacing it with the following:

II. The provisions of this subdivision shall not apply to municipal employees engaged in emergency rescue operations.

HB 259, relative to the reporting date of the economic development strategy and plan. **OUGHT TO PASS.**
Rep. Carolyn L. Matthews for Resources, Recreation and Development. As requested by the Department of Resources and Economic Development, this bill amends RSA 12-A:66 to allow the department to use results and validation from the previous fiscal year instead of the closing calendar year when updating the department's strategy and plan. The department believes that an economic review at the end of the fiscal year is consistent with the data and will improve the quality and efficiency of the report. The annual report will continue to be due by December 31. Vote 19-0.

HB 281, defining "exotic aquatic species of wildlife" and relative to the duties of the exotic aquatic weeds and species committee. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Suzanne H. Gottling for Resources, Recreation and Development. This bill addresses an additional threat to New Hampshire's water bodies, exotic aquatic animals. The existing Exotic Aquatic Weeds and Species Committee has been studying control and eradication of exotic aquatic weeds and plants such as milfoil, but was not charged with study of exotic aquatic animals such as Asian clams, zebra mussels or water fleas. This bill adds exotic aquatic animals to the committee's charge. The bill also includes a definition of these animals and asks the committee to study two additional areas: 1. best management practices in other states and 2. Development of an action plan, similar to that for exotic aquatic plants, if an infestation is discovered. The amendment changes the placement of and references to the definition of exotic aquatic animals. Vote 12-0.

Amendment (0135h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Pollution and Aquatic Growth; Definitions; Exotic Aquatic Species of Wildlife.

Amend RSA 487:16 by inserting after paragraph I the following new paragraph:

I-a. "Exotic aquatic species of wildlife" means wildlife, as defined in RSA 207:1, XXXV, that:

(a) Depend on a freshwater aquatic environment; and

(b) Are not naturally occurring in New Hampshire or have not become established in New Hampshire.

Amend RSA 487:30, III(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Study the spread of exotic aquatic weeds and exotic aquatic species ***of wildlife, as defined in RSA 487:16, I-a,*** in the waters of New Hampshire including education, management, and potential means to eliminate the spread of these weeds and [~~species; and~~] ***wildlife.***

HB 394-FN, establishing an industrial heritage program within the department of cultural resources. **INEXPEDIENT TO LEGISLATE.**
Rep. Eric Johnson for Resources, Recreation and Development. This bill establishes an industrial heritage program within the Department of Cultural Resources, which shall be responsible for the preservation of the historic grist mill complex in Hampton. While the committee recognizes the value of the Hampton grist mill and recognizes the value of preserving New Hampshire's industrial heritage, this act may not be the most frugal and efficient way to accomplish this goal. Other means are available according to testimony. Vote 13-0.

HB 238, relative to the energy efficiency implementation plan. **INEXPEDIENT TO LEGISLATE.** Rep. Herbert R. Vadney for Science, Technology and Energy. This bill would direct the Office of Energy and Planning to consider a variety of additional issues in its energy efficiency planning. The energy efficiency resource standard draft proposal that was released by the Public Utilities Commission on February 3, 2015 covers these topics, making this bill unnecessary. Vote 21-0.

HB 291, establishing a committee to study modernization of the energy grid in New Hampshire. **INEXPEDIENT TO LEGISLATE.**
Rep. Marjorie J. Shepardson for Science, Technology and Energy. The sponsor feels strongly that the State of New Hampshire should implement a goal in the new Ten-Year Energy Strategy which states New Hampshire should modernize the electric grid. This bill would have created a study committee to do that but another bill, HB 614, directs the PUC to open a docket on grid modernization. Since HB 614 would accomplish the same thing more quickly than this bill, the sponsor proposed to ITL HB 291. Vote 21-0.

HB 130, relative to the use of blue lights on emergency vehicles. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Michael B. O'Brien for Transportation. This is an enabling bill, which will allow blue lights on fire, ambulances and rescue vehicles. This bill allows exceptions to current law where only sworn police officers are allowed blue lights to municipal, township or village-owned fire apparatus or ambulances. This bill does not allow blue lights on private vehicles except in accordance with current law for police officers. This bill has the support of the NH Police Chiefs' Association and the NH Fire Chiefs' Association. The intention of the bill is to enhance the safety of all emergency first responders operating in the field. The amendment adds relevant references to existing statutes regarding authorized use of blue lights to ensure compliance with existing laws. Vote 18-0.

Amendment (0108h)

Amend the bill by replacing all after the enacting clause with the following:

1 Blue Lights Restricted. Amend RSA 266:78-b to read as follows:

266:78-b Blue Lights Restricted to Law Enforcement ***and Emergency Response***.

I. No person other than a sworn law enforcement officer with power of arrest shall operate a vehicle equipped with blue colored lights, except in the case of a service technician driving the vehicle in connection with servicing or maintaining the vehicle ***or as provided under paragraph II***.

II. No person other than a sworn law enforcement officer with power of arrest or an emergency response employee or volunteer of a city, town, or village district or the federal government or an employee of a private ambulance service contracted with a city, town, or village district shall operate a vehicle equipped with a rear-facing blue colored light, except in the case of a service technician driving the vehicle in connection with servicing or maintaining the vehicle.

~~[II.]~~ ***III.*** Blue ***colored*** lights are authorized ***only*** for vehicles owned or leased by state, county, municipal, or federal law enforcement agencies, fire marshal vehicles, ***emergency response vehicles owned or leased by city, town, village district, or federal fire departments, forestry departments, or emergency medical departments, or emergency response vehicles owned or leased by a private ambulance service contracted with a city, town, or village district*** and vehicles privately owned or leased by sworn law enforcement officers when authorized by their department heads. When blue colored lights are installed on a private vehicle owned by or leased to a law enforcement officer, such lights shall be covered when the vehicle is being driven by someone other than a law enforcement officer. ***A blue colored light installed on emergency response vehicles other than those vehicles used by a sworn law enforcement officer shall be limited to a single, rear-facing blue colored emergency light on each vehicle. A private ambulance service that is no longer contracted with a city, town, or village district shall remove the single rear-facing blue colored light upon the expiration of the contract.***

2 Use of Blue Lights. Amend RSA 266:78-f to read as follows:

266:78-f Use of Lights by Law Enforcement. Law enforcement officers shall only illuminate emergency lights and warning lights when in pursuit or stopping a violator, when responding to but not returning from an emergency call for service, when conducting an escort, or when parked on or adjacent to the highway to warn other traffic of a hazard or obstruction. ***Except as provided for under RSA 266:78-b, II*** no person other than a sworn law enforcement officer shall drive a vehicle with a blue light or lights in operation.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill authorizes the use of blue lights on vehicles operated by local and federal emergency response employees and volunteers and employees of an ambulance service contracted with a city, town, or village district.

HB 156, relative to the 70 mile per hour speed limit on a portion of I-93. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas C. Walsh for Transportation. This bill would eliminate the 70 mile per hour speed limit from mile marker 45 to mile marker 58 (north of Tilton) on I-93. In 2013, HB 146, which changed the speed limit to 70 mph, passed the House 292-65, passed the Senate by a voice vote and was signed into law. The committee was not provided any data or incidents related to the speed change. In fact, the Department of Safety testified that it would take three to five years to compile such data. Considering the support HB 146 had, and no evidence to support a change, the majority of the committee voted ITL. Vote 17-1.

HB 178, relative to exclusions from seasonal highway weight limit regulations. **OUGHT TO PASS.**

Rep. Russell Dumais for Transportation. The intent of this bill is to support our maple sugar industry, which can be hurt by seasonal weight limits. This bill does not remove department of transportation oversight and approval of granting waivers. Vote 18-0.

HB 314, establishing a commission to study the charitable status of certain nonprofit organizations for purposes of state and local taxation. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means. This bill is based on one possibly fraudulent charity said to be operating in New Hampshire, but the sponsor has not yet been able to contact the attorney general's office of charitable trusts, which is responsible for oversight of such cases, to learn whether this case or others present a problem that would be correctable by further legislation. We invite the sponsor to bring forth a later bill on the subject is such inquiry shows a need. Vote 19-0.

HB 657-FN-A-L, relative to video lottery. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Azarian for Ways and Means. This bill authorizes up to 300 slot machines at each location authorized for charitable gaming. The committee feels that such a major expansion is contrary to the intent of the law authorizing low stakes charitable gaming. Public testimony indicated strong opposition, with only card rooms supporting it. Vote 19-0.

REGULAR CALENDAR

HB 168, relative to grounds for divorce for persons with minor children. **INEXPEDIENT TO LEGISLATE.**

Rep. Cynthia L. Chase for Children and Family Law. This bill would not allow irreconcilable differences as a ground for divorce for couples with minor children. The committee felt that the bill was a step backward because it re-introduces the necessity for a determination of fault into the divorce process. It would also raise the cost of divorce to both the divorcing individuals and to the state. Forcing couples to stay married until their youngest child attains majority status could allow for the perpetuation of a stressful living situation, which can have as stressful an impact on the child as going through a parental divorce. Vote 13-4.

Rep. Gargasz corrected the committee report.

Rep. Groen spoke against.

Committee report adopted.

HB 245, establishing a committee to study state and county departments of corrections. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura C. Pantelakos for the Majority of Criminal Justice and Public Safety. This bill calls for a study on county jails and the state department of correction. This bill comes in every session. As representatives, we can make our own correction to our county jails. The committee believes this bill is not necessary. If we want changes in our county jails, we have the power to make those changes within the counties. Vote 10-6.

Rep. John A. Burt for the Minority of Criminal Justice and Public Safety. This bill simply creates a study committee to examine New Hampshire's system of state and county jails, to determine if this structure is the best way to provide incarceration and rehabilitation at the lowest cost to state

and local taxpayers. County jails frequently house persons awaiting trial, or required to be separated from other inmates in the state system, or even temporary overflows. The functions of county jails and state prisons largely overlap after an inmate is discharged, so it is reasonable to look at the post incarceration system as a whole. Vermont, for example, has an integrated prison system that incorporates the opportunities to reduce recidivism. In NH recidivism is 43% at the state level and around 60% for counties. The minority believes that a study committee on this subject has the potential to identify significant opportunities for cost savings without affecting performance.
Majority committee report adopted.

HB 597-FN, relative to penalties for indecent exposure and lewdness. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Laura C. Pantelakos for the Majority of Criminal Justice and Public Safety. This bill changes the penalty for exposing one's genitals from misdemeanor to a class B felony. This change makes the law the same penalty that it is if you take a picture of your genitals and send it out. The committee felt it should be the same in person as a picture. Vote 11-5.
Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. It is the minority opinion that the following language within HB 597 will have unintended results when interpreting the following verbiage, section 2. (a) A person is guilty of a class B felony if : (a) Such person purposely fornicates, exposes his or her genitals, or performs any other act of gross lewdness in the presence of a child who is less than 16 years of age. The condition whereby genitals may be exposed may occur during nude sunbathing on ones own private property; attendance to a nudist camp; a family practicing a naturalist lifestyle. Section (a) begins with (a) Such person purposely fornicates, then attempts to list; "exposes his or her genitals." It is the minority opinion that this can be misinterpreted, if the intent was to simply be "purposely naked" without the intent of harm to a child less then 16 years of age.
Rep. Tholl moved Recommit and spoke in favor.
Motion adopted.
Recommitted to the Committee on Criminal Justice and Public Safety.

HB 119, establishing the John G. Winant Memorial Commission. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Raymond G. Gagnon for the Majority of Executive Departments and Administration. Governor John G. Winant was among the most accomplished and respected New Hampshire citizens of the 20th Century, attaining national and international recognition during the 1930s and World War II. This bill establishes a commission to raise private sector funds for the erection and maintenance of a statue, as well as a scholarship fund for New Hampshire students of government. This public/private initiative will be funded solely from non-government sources and will have no fiscal impact on state finances. The intent of the commission is to erect the statue on the grounds of the NH State Library facing the capital and the governor's office. In addition to serving as Governor (1925-27; 1931-35), he was also a member of both the NH House and Senate. A life-long republican, Governor Winant was appointed by President Franklin Roosevelt to be the first head of the Social Security Board in 1935, a position he held until 1937. In 1941, Roosevelt appointed Winant ambassador to Great Britain, a post he remained in until March 1946. In a 2010 book, *Citizens of London: The Americans Who Stood with Britain in Its Darkest, Finest Hour,* author Lynne Olson described Winant as dramatically changing the U.S. stance in regards to Great Britain. The establishment of this commission in no way diminishes the accomplishments of other New Hampshire men and women, but continues the NH tradition of preserving a sense of history and recognizing the accomplishments of its citizens. We encourage members of the House to support the committee's bi-partisan vote. Vote 10-3.
Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The committee heard only from the sponsor in favor of this commission. Testimony included that the commission is planning to put the statue in the front lawn at the State Library across the street from the State House. While there have been numerous other Governors that have contributed to the state, very few have received the recognition to have a statue so prominently located near the State House. The family did donate 85 acres for a park in the City of Concord and the minority felt that an amendment specifying the location of the statue within the Winant Park would be appropriate.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Hoell offered floor amendment (0295h).

Floor Amendment (0295h)

Amend RSA 4:9-l as inserted by section 1 of the bill by replacing it with the following:

4:9-l Commission Established; Special Account.

I. A commission is established to oversee the location, design, construction, and maintenance of a John G. Winant memorial and to privately raise and expend all the funds necessary for its construction and maintenance. The governor and council are authorized to accept for the commission, in the name of the state, the gifts of money, which are donated to construct and maintain the memorial. Notwithstanding any other provision of law, the commission may accept donated in-kind services, goods, and materials for the construction and maintenance of the memorial with the approval of the governor and council.

II. The gifts of money, which are donated to contract, construct, and maintain the memorial, shall be placed in a special nonlapsing account in the state treasury, to be expended for the purposes of the John G. Winant memorial. Any money remaining in the special account after construction of the memorial is completed shall be used for the care, maintenance, repair, and additions to the memorial, or for any other purpose deemed appropriate by the commission. Notwithstanding any other provision of law, the commission may expend the money raised or accepted as a gift with the approval of governor and council, to contract for the construction and perpetual maintenance of the memorial.

III. The commission shall remain in existence upon the completion of the John G. Winant memorial for the purpose of overseeing maintenance and approving any change to the memorial. Any site change for the memorial shall be made under the supervision of the director of operations of the department of transportation.

Amend RSA 4:9-m as inserted by section 1 of the bill by replacing it with the following:

III. The commission shall select the location within Winant Park and design for the John G. Winant memorial and oversee the construction and maintenance of the memorial.

Rep. Hoell spoke in favor.

Rep. Sytek spoke against and yielded to questions.

Floor amendment (0295h) failed.

Majority committee report adopted and ordered to third reading.

HB 642-FN-L, allowing gold and silver as lawful mediums of exchange. **INEXPEDIENT TO LEGISLATE.**

Rep. John Sytek for Executive Departments and Administration. This bill would make gold and silver as lawful mediums of exchange in NH. The committee found several problems with the bill - some of which would take significant legal research to resolve. For example, it was not clear that this is permissible under the US Constitution, which reserves coinage powers to the federal government. There was the sense that there were symbolic aspects to the bill that could reflect poorly on NH's sense of purpose among the community of states. Nor did the sponsor establish any cogent need for this bill. There were practical considerations also. Exactly what mechanism would determine the dollar value of particular precious metals? Finally, it was pointed out that the bill is unnecessary. Any mutually agreeing individuals could exchange goods and services for precious metals without the agency of state law. Vote 13-3.

Committee report adopted.

HB 176-FN-A-L, relative to towns affected by the Merrimack River flood control compact and the Connecticut River flood control compact and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter R. Leishman for Finance. After several devastating floods in the 1930s, the Merrimack River Flood Control Compact was created in 1957 and the Connecticut River Flood Control Compact was created in 1953. The terms of the compacts are contained in RSA 484. During the late 1950s, the federal government through outright purchase and eminent domain acquired land in 18 New Hampshire communities to construct flood control structures (dams) to restrict water flow and prevent downstream flooding in New Hampshire, Massachusetts, Vermont and Connecticut. Under the compacts, a formula was developed to pay the 18 communities for the loss of land taken for flood prevention. The state of New Hampshire, the Commonwealth of Massachusetts and the state of Connecticut are each required to pay a portion of the lost tax revenue for land taken as determined by the NH Department of Revenue Administration. Regrettably, the Commonwealth has failed to make timely payments and when payments have been received or negotiated, the payments have

fallen short of the anticipated reimbursements. Recently, on December 5, 2014, the NH Department of Justice and the commonwealth agreed to settle the outstanding liability for FY13 and FY14 for $658,000. This figure being $427,344 short of the funds the DRA believes the commonwealth owes the 18 communities. During FY14 and FY15, the legislature again provided the full amount of lost tax revenue as determined by the DRA and as required by RSA 122:4. The FY14/FY15 total reimbursement was $1,575,796.86 in general funds. Despite the commonwealth's delinquencies and since 1969, New Hampshire has reimbursed the impacted communities for the full amount of lost tax revenue with the exception of FY13. However, under the terms of the compacts, New Hampshire is under no obligation to pay the commonwealth's share of the reimbursement. Additionally, any modification of the language contained in the compacts would require Congressional approval. The majority of the Finance Committee believes that New Hampshire can no longer subsidize the Commonwealth's portion of these two compacts. Furthermore, the majority believes the Legislature, the Department of Justice, DRA and the New Hampshire Compact Commissioners must review the terms of the compacts and re-examine New Hampshire's obligations and options. Until then, the majority cannot support this appropriation of $542,672 from the state general fund for FY13. Vote 13-9.
Reps. Ratzki, Myler, Luneau, Karrick and Shattuck spoke against.
Rep. Leishman spoke in favor and yielded to questions.
Rep. Lynne Ober spoke in favor.
Rep. Myler requested a roll call; sufficiently seconded.

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BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Abbott, Michael	Emerson, Susan	Hunt, John	McConnell, Jim
Phillips, Larry			

COOS

Fothergill, John	Froburg, Alethea	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Tholl, John	Thomas, Yvonne	

GRAFTON

Bailey, Brad	Brown, Duane	Brown, Rebecca	Darrow, Stephen
Gionet, Edmond	Hull, Robert	Johnson, Eric	Piper, Wendy
Shackett, Jeffrey	Townsend, Charles		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Barry, Richard	Belanger, James	Biggie, Barbara	Boehm, Ralph
Booras, Efstathia	Burt, John	Byron, Frank	Christiansen, Lars
Christie, Rick	Cohen, Alan	Cornell, Patricia	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Hinch, Richard	Hogan, Edith	Kurk, Neal

Lachance, Joseph
McCarthy, Peggy
Notter, Jeanine
Ohm, Bill
Proulx, Mark
Schleien, Eric
Stepanek, Stephen
Takesian, Charlene
Wolf, Terry
LeBrun, Donald
McLean, Mark
O'Brien, William
Palmer, Barry
Rice, Kimberly
Scontsas, Lisa
Straight, Phillip
Twombly, Timothy
Zaricki, Nick
Leishman, Peter
Moore, Josh
Ober, Lynne
Pellegrino, Anthony
Rouillard, Claire
Simmons, Tammy
Sullivan, Victoria
Ulery, Jordan
Marston, Dick
Murotake, David
Ober, Russell
Pierce, David
Rowe, Robert
Souza, Kathleen
Sweeney, Shawn
Walsh, Robert

MERRIMACK

Bartlett, Christy
Kuch, Bill
McGuire, Carol
Walsh, Thomas
Bradley, Paula
Long, Douglas
McGuire, Dan
French, Harold
MacKay, James
Moffett, Howard
Kotowski, Frank
Marple, Richard
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Bush, Carol
Cook, Allen
Emerick, J. Tracy
Gannon, William
Hagan, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Welch, David
Allen, Mary
Cardon, G. Thomas
Doucette, Fred
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Introne, Robert
Kellogg, Shem
Major, Norman
Nigrello, Robert
Packard, Sherman
Rice, Frederick
Thomas, Douglas
Ward, Gerald
Weyler, Kenneth
Azarian, Gary
Chirichiello, Brian
Duarte, Joe
Fesh, Robert
Griffin, Mary
Heffron, Frank
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
O'Connor, John
Peckham, Michele
Sanders, Elisabeth
True, Chris
Ward, Joanne
Woitkun, Steven
Bates, David
Christie, Andrew
Elliott, Robert
Friel, William
Guthrie, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Lovejoy, Patricia
McKinney, Betsy
Oligny, Jeffrey
Potucek, John
Spillane, James
Tucker, Pamela
Webb, James

STRAFFORD

Beaudoin, Steven
DiSesa, Len
Jones, Laura
Leeman, Don
Schmidt, Peter
Ward, Kenneth
Berube, Roger
Gardner, Janice
Kaczynski, Jr., Thomas
Mullen, John
Sprague, Dale
Whitehouse, Joshua
Bickford, David
Gray, James
Kaen, Naida
Parsons, Robbie
Turcotte, Leonard
Wuelper, Kurt
Bixby, Peter
Hannon, Joseph
Knowles, Robert
Pitre, Joseph
Verschueren, James

SULLIVAN

Bridge, Ernest
Rollins, Skip
Gagnon, Raymond
Schmidt, Andrew
Grenier, James
Smith, Steven
Laware, Thomas

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CARROLL

Ticehurst, Susan

CHESHIRE

Ames, Richard
Eaton, Daniel
Roberts, Kris
Tatro, Bruce
Berch, Paul
Ley, Douglas
Robertson, Timothy
Tilton, Benjamin
Bordenet, John
Mann, John
Sad, Tara
Chase, Cynthia
Pearson, William
Shepardson, Marjorie

COOS

Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Smith, Suzanne	White, Andrew

HILLSBOROUGH

Bouldin, Amanda	Brown, Pamela	Cote, David	DiSilvestro, Linda
Forest, Armand	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hopper, Gary	Jack, Martin	Jeudy, Jean
Katsiantonis, Thomas	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	Murphy, Keith	O'Brien, Michael	O'Neil, William
Peterson, Ken	Porter, Marjorie	Rosenwald, Cindy	Seidel, Carl
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Brewster, Michael	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hill, Gregory	Hirsch, Geoffrey
Hoell, J.R.	Horn, Werner	Karrick, David	Kenison, Linda
Kidder, David	Luneau, David	Myler, Mel	Parent, Jason
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Manning, John
McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Tamburello, Daniel	Tasker, Kyle	

STRAFFORD

Baber, William	Burton, Wayne	Cilley, Jacalyn	DeLemus, Susan
Groen, Warren	Horrigan, Timothy	Rollo, Deanna	Southworth, Thomas
Stevens, Audrey	Wall, Janet		

SULLIVAN

Cloutier, John	Converse, Larry	Gottling, Suzanne	Oxenham, Lee

and the committee report was adopted.

HB 194, providing that life begins at conception. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**

Rep. Claire A. Rouillard for the Majority of Judiciary. House Bill 194 seeks to create an act, which provides that "The state of New Hampshire declares that the right to life guaranteed by the United States Constitution is vested in each human being, therefore it is the policy of the state of New Hampshire that human life is deemed to exist from conception." It also states that, "nothing in this subdivision shall be construed to authorize the prosecution of any woman for the death of her unborn child." Additionally, it states "human being includes… every member of the species homo sapiens at all stages of life, including the moment of fertilization, cloning or other…" The statement of findings and intent, contained in this bill, addresses issues of aborting pre-born humans and their right to life, It does not matter whether we are pro-life supporters, or pro-choice supporters, HB 194, as written, is unconstitutional. The Ninth Amendment, reservation of rights to the people, and Fourteenth Amendment, concept of personal liberty, as explained in the United States Supreme Court Decision, Roe v. Wade, 410 U.S. 113 (1973), encompass a woman's decision whether or not to terminate her pregnancy. The Court further stated that a "person" as used in the Fourteenth

Amendment, does not include the unborn. Also, the language of the bill is vague, as the sentence contained in HB 194, which does not authorize the prosecution of any woman for the death of her unborn child, does not "prohibit" her prosecution. It also does not prohibit the prosecution of others, including a physician who performs an abortion, even in instances that could save the woman's life, or the prevent prosecution of a boyfriend who supplies his girlfriend with the morning after pill. This bill could have other unknown criminal and civil consequences. Lastly, this bill as worded, may take away rights of families who need medical assistance to have children. Specialists, who provide in vitro fertilization (IVF) currently available in New Hampshire, may not be able to do so if this bill were passed. The freezing of embryos have an 85-95% chance of survival. This means some of them do not survive. Testimony from physicians who performed IVF indicated that they would be unwilling to perform embryo freezing on the chance the embryos do not survive, as criminal prosecution and other claims could be brought against them. Additionally, liability in the disposal of unwanted fertilized embryos, has unknown consequences, which could effectively eliminate the practice of IVF in New Hampshire. We are trusted with the responsibility to pass good laws for the citizens of New Hampshire. This bill as worded, violates the US Constitution, is vague and has known and unknown consequences that would make its passage hurt the citizens of our state. Vote 10-4. Rep. Kurt F. Wuelper for the Minority of Judiciary. The minority believes the right to life is the most fundamental human right. The right to life inheres to every person from the very beginning of life until death, and that NH law should recognize that right as did the US Supreme Court when it ruled in Gonzales v. Carhart, "by common understanding and scientific terminology, a fetus is a living organism while within the womb, whether or not it is viable outside the womb". The court also ruled that [obviously human] life is worthy of protection"both pre-viability and post-viability."

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Wuelper, Murotake, Leeman and Moore spoke against.
Rep. Hoell spoke against and yielded to questions.
Reps. Rowe and Rouillard spoke in favor.
Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 246 - NAYS 104

YEAS - 246

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Sylvia, Michael	Vadney, Herbert
Varney, Peter			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	McConnell, Jim	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Hull, Robert
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Piper, Wendy
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Barry, Richard
Belanger, James
Biggie, Barbara
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Jack, Martin
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hill, Gregory
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Christie, Andrew
Cushing, Robert
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Hoelzel, Kathleen
Kellogg, Shem
Lovejoy, Patricia
Major, Norman
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Nigrello, Robert
Oligny, Jeffrey
Osborne, Jason
Pantelakos, Laura
Peckham, Michele
Potucek, John
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Tasker, Kyle
Thomas, Douglas
Tucker, Pamela
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Mullen, John
Parsons, Robbie
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 104

BELKNAP

Comtois, Guy	Gallagher, Brian	Howard, Jr., Raymond	Luther, Robert
Spanos, Peter	Tilton, Franklin		

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Nelson, Bill

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Duane	Ingbretson, Paul	Johnson, Eric
Shackett, Jeffrey			

HILLSBOROUGH

Boehm, Ralph	Burt, John	Danielson, David	Edelblut, Frank
Gagne, Larry	Gould, Linda	Goulette, William	Hogan, Edith
Hopper, Gary	Jeudy, Jean	Katsiantonis, Thomas	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McCarthy, Peggy	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Seidel, Carl	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy
Ulery, Jordan			

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Kotowski, Frank
McGuire, Carol	McGuire, Dan	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	Devine, James
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Griffin, Mary	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Lundgren, David	Manning, John	Matthews, Carolyn
O'Connor, John	Packard, Sherman	Prudhomme-O'Brien, Katherine	Rice, Frederick
Spillane, James	Sytek, John	Tamburello, Daniel	True, Chris

STRAFFORD

Beaudoin, Steven	Berube, Roger	DeLemus, Susan	Gray, James
Groen, Warren	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Laware, Thomas

and the majority committee report was adopted.

HB 269, allowing a landlord to collect first and last month's rent in addition to a security deposit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda B. Kenison for the Majority of Judiciary. This bill proposes an amendment to 540-a:6. The amendment would allow landlords to charge the equivalent of three month's rent prior to tenancy. The religious community, charities and nonprofit organizations were unanimous in opposing this bill. Local welfare administrators expressed extreme concern passage of this bill would increase welfare budgets and raise property taxes. To require prospective tenants to pay first and last month's rent in addition to a security deposit will create an undue hardship on families already struggling to access affordable housing. For a family to obtain a modest two-bedroom apartment they would have to raise about $2,600. This financial barrier to obtaining affordable housing will exacerbate

the problem of homelessness. Middle and low-income families need affordable housing. To attract and keep young people in the state, affordable housing is essential. Vote 13-2.
Rep. Kurt F. Wuelper for the Minority of Judiciary. The minority believes it is the landlord's property right to set the rental terms, including the amount of security required and that the state shouldn't restrict that right. The shortage of rental property available might be partially alleviated by allowing landlords to collect more security and landlords dealing with low income tenants would most likely keep the current security conditions.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Sylvia spoke against.
Rep. Kenison spoke in favor and yielded to questions.
On a division vote, 187 members having voted in the affirmative and 167 in the negative, the majority committee report was adopted.

HB 371, relative to assessing the consequences of the Citizens United decision. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Jack B. Flanagan for the Majority of Legislative Administration. The bill assumes from its beginning that the supreme court has made several "wrong" decisions with respect to campaign finance. That issue alone is one of considerable debate and one that will undoubtedly continue. The mechanisms put in place in this bill require standing committees of the House and Senate to travel around the state to take public input on the issue; it then even requires those committees to submit draft language to the US Constitution on how to fix this perceived problem! Additionally, this bill calls on the Congressional delegation to act on this perceived problem by working towards a constitutional amendment. A more apt approach would be a constitutional convention to address whatever perceived issues may exist at large; but the majority of the committee believes the inferences supposed in this bill are without merit to begin with. Vote 5-4.
Rep. Lucy M. Weber for the Minority of Legislative Administration. HB 371 requires hearings to be held in four separate sites around the state so that testimony may be heard from NH citizens about the effects of the Citizens United decision. The results of those hearings were to be communicated to the NH congressional delegation, as well as to various NH state officials. For those of us who support amending the US Constitution to make it clear that Citizens United was wrongly decided, but who are also concerned about using Article V to amend the US Constitution, this bill presented an excellent opportunity to further communicate our concerns to our Congressional delegation.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Elliott and Bixby spoke against.
Rep. Stephen Schmidt spoke in favor.
Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 194 - NAYS 157

YEAS - 194

BELKNAP

Aldrich, Glen	Comtois, Guy	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Howard, Jr., Raymond	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
Wright, Ted			

CHESHIRE

Hunt, John	McConnell, Jim	Tilton, Benjamin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Piper, Wendy
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McCarthy, Peggy
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Bradley, Paula
Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Bush, Carol
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kappler, Lawrence
Kolodziej, Walter
Lundgren, David
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 157

BELKNAP

Gallagher, Brian

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Maes, Kevin	Massimilla, Linda	Smith, Suzanne
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Belanger, James	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Freitas, Mary	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Katsiantonis, Thomas	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	O'Neil, William	Porter, Marjorie	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane			

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	Devine, James
DiFranco, Debbie	Elliott, Robert	Francese, Paula	Gordon, Pamela
Gordon, Richard	Heffron, Frank	Itse, Daniel	Katsakiores, Phyllis
Kellogg, Shem	Lovejoy, Patricia	Manning, John	McBeath, Rebecca
Moody, Marcia	Pantelakos, Laura	Sanders, Elisabeth	Sherman, Thomas
Simpson, Alexis	Ward, Gerald		

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John Converse, Larry Gagnon, Raymond Gottling, Suzanne
Grenier, James Oxenham, Lee Schmidt, Andrew
and the majority committee report was adopted.

MOTION TO PRINT REMARKS

Rep. Dan McGuire moved that the remarks made by Rep. Elliott on **HB 371,** relative to assessing the consequences of the Citizens United decision, be printed in the Permanent Journal.
On a division vote, 178 members having voted in the affirmative and 173 in the negative, the motion was adopted.

REMARKS

Rep. Elliott: Thank you, Mister Speaker. Originally, this controversial bill was about the constitutional meaning of freedom of speech and the fear of political, financial corruption. It started in 2002, when Senator McCain and Senator Feingold sponsored the famous, bipartisan campaign reform act. It had to do with what they call electioneering communication. In that bill, they defined electioneering communication as any broadcast, any cable, any satellite communication that mentions a candidate within 30 to 60 days of a general election. Their bill also said that such communication being funded by corporations or unions was unconstitutional. Two years later, during the presidential campaign, 2004, Citizens United, a conservative 501c group, took Michael Moore to court saying his movie, "Fahrenheit 9/11" was a severe criticism on George Bush and his response to the 9/11 terrorist attack. That constituted political advertising and the case went before the Federal Election Commission that promptly dismissed the suit and Citizens United lost their case. In 2007, Citizens United produced their own film called "Hillary" and it was a severe criticism of Hillary Clinton and they tried to get it on to national television, but they were called into court. In 2008, the district court for the District of Columbia ruled that the movie "Hillary" "violated the bipartisan campaign reform act" and Citizens United lost that case as well, but then they got lucky, because they appealed it to the supreme court. On March 28, 2009, the United States Supreme Court reversed that decision and said it is constitutional to make a film critical of any president or candidate during any campaign. This was a major victory for free speech, so everyone thought. Citizens United won that case, or did they? The first part of the ruling of the supreme court said from now on, all corporations, all unions or any individual will be sheltered and treated just like an individual citizen when it comes to the issue of freedom of speech. From now on, corporations and unions will be treated as a person. Then something went wrong. There was an unintended consequence given by the supreme court that day when Supreme Court Chief Justice John Roberts went on further to conclude that from now on, any citizen of the United States of America could contribute as much money as he wished and keep his name anonymous by donating all of his money to what we now call, Super PACs. Now, this bill today has nothing to do with the rightness or the wrongness of that decision. Listen to me. This bill today has to do with offering a solution to a possible consequence of that decision and help to avoid further political corruption. Now, the majority would have us believe that this is a perceived problem. In fact, if you read the blurb, you'll see the phrase doesn't occur not once, but three times as if to accent the belief that political corruption does not even exist. I think it does and I think it has had a strange effect on the citizens and the voters all across America. They no longer have an interest in politics that they once had because they feel they no longer have an affect on much of the income and they have strong opinions even though they are not able to express them. Deep, deep down, this bill today, this bill, HB 371 is about the silent majority, as Nixon used to say. Those thousands of people in New Hampshire and those millions of people in the United States of America have lost their voice. This bill today is really about the common man. This bill today is about thousands and thousands of voters from all over our country who feel that they are not only shut out from any major decision process, but who also feel that their politicians have lost touch with the common man who works for minimum wages sometimes, who struggles everyday to make ends meet and as many a stranger has said to me, "I don't like politicians anymore because they don't care about me and they don't care about my family. They are all a bunch of crooks anyway. The only thing they care about is the next election." Now, the legislative committee

is thinking just the opposite of what this bill intends to do. They feel that they do not need to hear the voices of the people on this issue and this is how they think. They might be saying to themselves and many of you too, the people have voted for me to represent them so I don't need their input. Well, if that's true, why are we having all these public meetings this month in order for us to hear the public and get their input before we vote in executive session? This bill does the same thing, only the public hearing is not limited to ten or twenty people; it's limited to thousands of people all over the state of New Hampshire. All this bill does, really, is it makes it possible for two committees, one from the House and one from the Senate, to go to four different sections of our beloved state, North, East, South and West, whatever, and listen to the voice of the people, to take that feedback, refine it, condense it, if necessary, and put it into more simple language how the voters of New Hampshire feel about one of the most controversial issues in America today, namely the corruption of our entire political system. What could be fairer than that? Isn't that what we do on every public hearing? Remember this, it is only if we take steps one and two in this bill, sending them out, the committee, that step three even becomes possible. It may be that at the end of their investigation, the group may come to the conclusion that the legislative committee was correct, this is not really an issue; it is only a perceived problem. On the other hand, if the committee of Reps. and Senators hear a roar of discontent, if they hear a cockamamie of disagreement, if they hear angry voices by thousands, then and only then, will they be motivated to contact our Representatives in Washington and make some reasonable suggestions arrived at by both parties. This cannot be achieved by one party. This has to be a bipartisan effort. If we do not at least attempt to do this, you and I both know that the common man will still retain his right to freedom of speech. That is not the issue, but it will be a much quieter voice because he has lost his political influence because of his limited financial resources and we will all lose our ability as common men and women to pick our own candidates here in New Hampshire and throughout America. Not because of the influence of wealthy people. I'm not opposed to that. We can accept that as a political way of life already. It's been with us a long time. We'll always have it. We always will, but what we cannot compete with is the growing corrupting influence and recent emergence of an entirely new group of powerful politicians. We call them the 1%. The 1% who control 90% of America's resources. We call them billionaires - billionaires. One of the fastest growing groups in our country. Let me conclude by asking you this, just let the public know that we will, we in New Hampshire, we in this Session, yes we will listen to you on this highly controversial issue. We haven't forgotten you. We realize that this is not a perceived problem, this is a real problem. We, like them, will know that this is one of the biggest issues of our time. Maybe not by some in the New Hampshire Session, but certainly by millions and millions of Americans all over our country, ordinary, common, hard working people who live their lives from paycheck to paycheck, paying the rent or paying the mortgage on their house or paying the latest car payment. We call that the middle class and you and I are the middle class and we don't contribute millions to our political candidates. Below our level of income are the poor and the poor have no voice at all. Let's give them a voice today. Now, press the red button. Thank you.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 330,** establishing an oversight commission for medical cost transparency.

The House recessed at 12:20 p.m.

RECESS

The House reconvened at 1:20 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR CONT'D

HB 147, relative to the homestead exemption amount. **OUGHT TO PASS WITH AMENDMENT.** Rep. Susan C. DeLemus for Municipal and County Government. This bill, as amended, would raise the homestead exemption from $100,000.00 to $120,000.00. The majority of the committee felt that this modest increase would match the increase in valuations of property in the last 10+/years. Vote 14-5

Amendment (0119h)

Amend RSA 480:1 as inserted by section 1 of the bill by replacing it with the following:

480:1 Amount. Every person is entitled to $[~~100,000~~] ***120,000*** worth of his or her homestead, or of his or her interest therein, as a homestead. The homestead right created by this chapter shall exist in manufactured housing, as defined by RSA 674:31, which is owned and occupied as a dwelling by the same person but shall not exist in the land upon which the manufactured housing is situated if that land is not also owned by the owner of the manufactured housing.

Amend RSA 529:20-a as inserted by section 2 of the bill by replacing it with the following:

529:20-a Notice of Homestead Exemption. Along with the notice required under RSA 529:20, the party in whose name the execution has issued shall provide to any person who resides or appears to reside on the real estate to be sold, the following notice by certified mail:

NOTICE

IF YOU OR YOUR SPOUSE OWNS AND RESIDES IN THIS PROPERTY, YOU AND/OR YOUR SPOUSE MAY BE ENTITLED TO A HOMESTEAD EXEMPTION PURSUANT TO RSA 480:1. THIS EXEMPTS $[~~100,000~~] ***120,000*** FOR A SINGLE PERSON AND $[~~200,000~~] ***240,000*** FOR A MARRIED COUPLE.

IN ORDER TO CLAIM THIS EXEMPTION, YOU MUST NOTIFY THE SHERIFF OF THE COUNTY IN WHICH THE REAL ESTATE IS SITUATED AND THE JUDGMENT CREDITOR OF THE AMOUNT OF YOUR HOMESTEAD CLAIM IN WRITING. IF YOU DO SO BEFORE THE SALE, THE SHERIFF MUST PAY YOU THE AMOUNT OF YOUR HOMESTEAD EXEMPTION BEFORE PAYING THE JUDGMENT CREDITOR FROM THE PROCEEDS OF THE SALE. IF, HOWEVER, THE JUDGMENT CREDITOR FILES A MOTION IN COURT CHALLENGING YOUR ENTITLEMENT TO OR THE AMOUNT OF THE HOMESTEAD EXEMPTION, THE SHERIFF SHALL NOT DISTRIBUTE THE PROCEEDS FROM THE SALE UNTIL FURTHER ORDER OF THE COURT.

IF YOU DO NOT NOTIFY THE SHERIFF AND THE CREDITOR OF YOUR EXEMPTION UNTIL AFTER THE SALE, THE CREDITOR NEED NOT PAY YOU THE AMOUNT OF YOUR HOMESTEAD EXEMPTION UNTIL THE EXPIRATION OF THE ONE-YEAR PERIOD DURING WHICH YOU MAY REDEEM THE PROPERTY PURSUANT TO RSA 529:26.

IF THE SHERIFF RECEIVES YOUR NOTICE OF HOMESTEAD EXEMPTION PRIOR TO THE SALE, THE SHERIFF MAY NOT SELL THE PROPERTY FOR LESS THAN THE AMOUNT OF THE CLAIMED HOMESTEAD EXEMPTION WITHOUT FURTHER ORDER OF THE COURT.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 153, relative to the telecommunications planning and development advisory committee. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne Harvey for the Majority of Science, Technology and Energy. The Telecommunications Planning and Development Advisory Committee (TAB) is primarily tasked with issues relating to broadband infrastructure in the state. It is also concerned with the use of broadband for educational opportunities and for medical related services. HB 153 adds to the committee's membership the commissioners of DHHS and DOE (or their designees) for their counsel on telemedicine and education, plus the state libraries since libraries offer computer access. The majority believes these additions will enhance the work of the committee. Vote 12-9.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill would increase the Telecommunications & Planning Advisory committee from 23 to 27 members. The current number seems sufficient. Testimony indicated that the quorum number is nine, which would subject the committee to being dominated by a small minority of members. No provision was made to make the committee bipartisan.

Majority committee report adopted and ordered to third reading.

HB 362, relative to the reliability of the electric grid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David K. Murotake for Science, Technology and Energy. It is easier and less costly to prune or cut trees, than to clean up damage and restore power after a tree or branch falls. This bill removes the word "unreasonable" from the conditions under which a tree can be designated a "danger" from RSA 231, enhancing the ability of public utilities to pro-actively identify trees for pruning or removal

to help protect the electric grid from power failures. The bill also allows electric utilities to identify trees that may offer a danger, in properties abutting the right of way, to have a dangerous tree to be removed at no cost or compensation to the property owner. The bill preserves all other rights of due process, privacy and appeal currently embodied in legislation. HB 362 also directs the PUC to investigate electric utility programs designed to ensure a more reliable and resilient grid to prevent or minimize power outages, including but not limited to, infrastructure automation and technologies. The amendment is simply a grammatical fix. Vote 18-3.

Amendment (0183h)

Amend RSA 231:172, I as inserted by section 2 of the bill by replacing it with the following:

I. No licensee shall have the right to cut, prune, or remove any shade or ornamental tree, for the purpose of erecting or maintaining poles or structures or installing wires or other attachments or appurtenances thereto, without obtaining the consent of the owner of the land on which such tree grows. The receipt of a license to erect and maintain such equipment pursuant to RSA 231:160 and RSA 231:160-a includes consent to cut, prune, or remove shade or ornamental trees growing on land located within the public right-of-way, ***or which may fall upon the right-of-way,*** that pose [~~an unreasonable~~] ***a*** danger to the reliability of equipment installed at or upon licensed utility facilities. Nothing in this section shall affect the right of the landowner to the cordwood or timber that results from the activities of a licensee under this subdivision.

Rep. Murotake yielded to questions.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Horn moved that the House reconsider its action whereby, on a division vote of 187-167, the House adopted the majority committee report of Inexpedient to Legislate on **HB 269,** allowing a landlord to collect first and last month's rent in addition to a security deposit.

Rep. Baldasaro spoke in favor.

Rep. Rowe spoke against.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 145 - NAYS 204

YEAS - 145

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Luther, Robert	Spanos, Peter
Sylvia, Michael	Vadney, Herbert		

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Parker, Harold	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Roberts, Kris	Tilton, Benjamin

COOS

Fothergill, John	Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Duane	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	

HILLSBOROUGH

Ammon, Keith	Balcom, John	Biggie, Barbara	Boehm, Ralph
Booras, Efstathia	Burt, John	Byron, Frank	Christiansen, Lars

Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Ferreira, Elizabeth
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Goulette, William
Halstead, Carolyn
Hogan, Edith
Katsiantonis, Thomas
Lachance, Joseph
LeBrun, Donald
Manley, Jonathan
Marston, Dick
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Parison, James
Peterson, Ken
Rice, Kimberly
Schleien, Eric
Seidel, Carl
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Karrick, David
Kuch, Bill
Long, Douglas
Marple, Richard
McGuire, Carol
McGuire, Dan
Ratzki, Mario
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Baldasaro, Alfred
Bates, David
Bush, Carol
Cook, Allen
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Gannon, William
Gordon, Richard
Griffin, Mary
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Matthews, Carolyn
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Laware, Thomas

NAYS - 204

BELKNAP

Fields, Dennis
Flanders, Donald
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Nelson, Bill
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Ley, Douglas
Mann, John
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Backus, Robert
Barry, Richard
Belanger, James
Brown, Pamela
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Estevez, Eric
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Jack, Martin
Jeudy, Jean
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
McLean, Mark
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Allen, Mary
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Fesh, Robert
Francese, Paula
Friel, William
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Lundgren, David
Major, Norman
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Nigrello, Robert
O'Connor, John
Pantelakos, Laura
Peckham, Michele
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Ward, Joanne
Webb, James
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Parsons, Robbie
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

and the motion failed.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 492, relative to military and historic reenactments and commemorations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Welch for Criminal Justice and Public Safety. This bill amends RSA 644:13 Unauthorized Use of Firearms and Firecrackers by including in the exceptions the fire department along with the police department in the notification process when organizing an event where cannons, muskets or other firearms are used to celebrate or commemorate an event where such arms use blank cartridges. The state fire code has rules concerning how historical re-enactments or events where veterans participate ought to be organized for the safety of the participants and fire personnel during an incident. The notification of the fire department is to ensure that the participants are aware of the safety requirements contained in the fire code. This bill is a request of the state fire marshal's office. An amendment changes the title by removing references to firecrackers, which had been removed from the statute many years ago. The committee agreed that the bill is necessary and voted unanimously. Vote 16-0.

Amendment (0168h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Unauthorized Use of Firearms and Firecrackers; Section Heading Amended. Amend the section heading in RSA 644:13 to read as follows:

644:13 Unauthorized Use of Firearms [~~and Firecrackers~~].

AMENDED ANALYSIS

This bill requires military and historic re-enactors to obtain permission from the fire department and comply with the state fire code and amends a section heading to remove an obsolete reference.

This bill is a request of the department of safety.

Rep. Tholl moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

HB 133, relative to recounts on questions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James P. Gray for Election Law. RSA 40:4-c, I codifies the requirements to request a recount of the ballots cast at an annual or special meeting on any question affecting the town. This bill adds a requirement for the town clerk to provide notification to the first named recount requester. The notification shall provide the time and place of the recount and that it be delivered by registered mail. The amendment retains the notification requirement but eliminates the requirement that it be delivered by registered mail. Vote 18-0.

Amendment (0123h)

Amend the bill by replacing section 1 with the following:

1 Recount; Deadline. Amend RSA 40:4-c, I to read as follows:

I. If any 10 voters of a town shall, before the expiration of 7 days from the date of an annual meeting or special meeting, apply in writing to the town clerk for a recount of the ballots given in at said meeting on any question, affecting said town only, legally appearing on the official Australian or nonpartisan ballot used at said meeting, said clerk shall appoint a time and place for the recount not earlier than 5 days nor later than 10 days after the receipt of said application. ***The clerk shall give reasonable notice of the recount to the first-named voter who applied for a recount on a question and a representative of other known interested parties, at least 3 days prior to the day appointed for the recount of ballots. Notice of the time and place of the recount shall be posted in 2 public places at least 24 hours prior to the recount.*** The applicants for such recount shall pay to the town clerk, for the use of the town, a fee of $10.

AMENDED ANALYSIS

This bill requires notice to voters requesting a recount on certain local questions and public posting of notice of the time and place of the recount.

Rep. Bates spoke against.

Rep. Gray spoke in favor.

Rep. Bates moved Recommit, spoke in favor and yielded to questions.

Rep. Hoelzel spoke against.

On a division vote, 157 members having voted in the affirmative and 193 in the negative, the motion failed.

Committee amendment adopted.
Committee report adopted and ordered to third reading.

HB 101, relative to prescription refills. **INEXPEDIENT TO LEGISLATE.**
Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. This bill would remove schedule III topical androgens from the list of prescriptions that may not be refilled with more than a 34-day supply. The purpose of the bill was to allow purchase of the medications in 90-day quantities, to achieve savings on the deductible paid for the refill. Topical androgens are male hormone replacements applied to the skin. The committee was concerned about the safety of increasing the amounts of a drug that can cause harm to women and children if they come in contact with it. A second concern was the confusion created by micro managing the treatment of individual drugs within the current categories of controlled drugs. Vote 14-0.
Rep. Dan McGuire spoke against and yielded to questions.
Rep. Beaudoin spoke against.
Rep. Kotowski spoke in favor.
Rep. Rideout requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 151

YEAS - 191

BELKNAP

Fields, Dennis	Flanders, Donald		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce		

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	White, Andrew

HILLSBOROUGH

Backus, Robert	Belanger, James	Booras, Efstathia	Brown, Pamela
Christensen, Chris	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Flanagan, Jack	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Jack, Martin	Jeudy, Jean	LeBrun, Donald	Leishman, Peter
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
O'Neil, William	Ober, Russell	Palmer, Barry	Pellegrino, Anthony
Pierce, David	Porter, Marjorie	Rosenwald, Cindy	Rouillard, Claire
Rowe, Robert	Shattuck, Gilman	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Straight, Phillip	Takesian, Charlene	Walsh, Robert
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Berrien, Skip
Borden, David
Cahill, Michael
Christie, Andrew
Cushing, Robert
Devine, James
DiFranco, Debbie
Elliott, Robert
Fesh, Robert
Francese, Paula
Gordon, Pamela
Guthrie, Joseph
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Ward, Joanne
Webb, James

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Mullen, John
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 151

BELKNAP

Aldrich, Glen
Comtois, Guy
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Phillips, Larry
Roberts, Kris
Tilton, Benjamin

COOS

Hatch, William
Rideout, Leon

GRAFTON

Bailey, Brad
Brown, Duane
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Massimilla, Linda
Townsend, Charles

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Forest, Armand
Gidge, Kenneth
Gould, Linda
Goulette, William

Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Hopper, Gary	Katsiantonis, Thomas	Lachance, Joseph	Marston, Dick
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Parison, James
Peterson, Ken	Proulx, Mark	Rice, Kimberly	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Shaw, Barbara	Souza, Kathleen
Stepanek, Stephen	Sullivan, Daniel	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Bradley, Paula	Brewster, Michael	French, Harold	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kuch, Bill	McGuire, Carol
McGuire, Dan	Patten, Dick	Ratzki, Mario	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chirichiello, Brian
Cook, Allen	Doucette, Fred	Duarte, Joe	Emerick, J. Tracy
Ferrante, Beverly	Friel, William	Gannon, William	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Heffron, Frank	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Lundgren, David
Oligny, Jeffrey	Osborne, Jason	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Weyler, Kenneth
Woitkun, Steven			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Gray, James	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Parsons, Robbie	Pitre, Joseph	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Converse, Larry	Laware, Thomas

and the committee report was adopted.

CACR 8, relating to the nomination and appointment of officers. Providing that judicial officers shall be confirmed by the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. This CACR seeks to increase the participation of the legislative branch in the selection of judicial officers. Presently, judicial officers are nominated by the governor and confirmed by the council. Although well intentioned, this bill presents the specter of dueling nominations between governor and council. It subjects confirmations to the increased partisanship of house and senate and present the problem of dealing with a confirmation occurring while the house and senate are not in session. The present system has worked well over the years and does not require modification. Vote 13-2.

Rep. Woodbury spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 242 - NAYS 101

YEAS - 242

BELKNAP

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Luther, Robert
Tilton, Franklin	Vadney, Herbert		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Mann, John
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Belanger, James
Biggie, Barbara
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McLean, Mark
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gordon, Pamela
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn

McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Thomas, Douglas
Ward, Gerald
Ward, Joanne
Webb, James
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Mullen, John
Parsons, Robbie
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth
Wuelper, Kurt

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 101

BELKNAP

Aldrich, Glen
Fisher, Robert
Gallagher, Brian
Howard, Jr., Raymond
Spanos, Peter
Sylvia, Michael
Varney, Peter

CARROLL

Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Christiansen, Lars
Christie, Rick
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Gould, Linda
Goulette, William
Hansen, Peter
Hogan, Edith
Lachance, Joseph
Marston, Dick
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Parison, James
Rice, Kimberly
Schleien, Eric
Seidel, Carl
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kuch, Bill
McGuire, Carol
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Allen, Mary
Baldasaro, Alfred
Bates, David
Duarte, Joe
Emerick, J. Tracy
Gannon, William
Gordon, Richard
Griffin, Mary
Harris, Jeffrey
Hodgdon, Bruce
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Oligny, Jeffrey
Osborne, Jason
Potucek, John
Rice, Frederick
Schroadter, Adam
Spillane, James
Tamburello, Daniel
Tasker, Kyle
True, Chris
Tucker, Pamela
Vose, Michael

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Gray, James	Groen, Warren
Hannon, Joseph	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	

SULLIVAN

Bridge, Ernest	Laware, Thomas

and the committee report was adopted.

HB 246, relative to jury nullification. **INEXPEDIENT TO LEGISLATE.**
Rep. Paul S. Berch for Judiciary. This bill would allow a judge to potentially be impeached for maladministration if she or he instructs a jury, according to law, of its right to judge the facts and the application of the facts to the law, as approved by the New Hampshire Supreme court in the Wentworth case. This bill does not seek to change the law relating to the powers and rights of a jury; it seeks to punish judges who conform their ruling to that required by law, as decided by the New Hampshire Supreme Court. Inasmuch as the committee was informed that trial judges give the "Wentworth instruction" to all criminal cases, the committee, by a 14-1 vote, agreed that to punish judges for doing so would be inappropriate and unwise. Vote 14-1.
Reps. Hoell and Sylvia spoke against.
Rep. Berch spoke in favor and yielded to questions.
Rep. Burt requested a roll call; sufficiently seconded.

YEAS 225 - NAYS 115

YEAS - 225

BELKNAP

Fields, Dennis	Flanders, Donald	Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Smith, Suzanne
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Balcom, John	Belanger, James	Biggie, Barbara
Booras, Efstathia	Brown, Pamela	Byron, Frank	Christensen, Chris
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee

Haefner, Robert
Herbert, Christopher
Katsiantonis, Thomas
Manley, Jonathan
O'Neil, William
Pierce, David
Rouillard, Claire
Shaw, Barbara
Straight, Phillip
Williams, Kermit
Hansberry, Daniel
Hinch, Richard
LeBrun, Donald
McLean, Mark
Palmer, Barry
Porter, Marjorie
Rowe, Robert
Smith, Timothy
Sullivan, Daniel
Wolf, Terry
Harvey, Suzanne
Jack, Martin
Leishman, Peter
McNamara, Richard
Pellegrino, Anthony
Proulx, Mark
Scontsas, Lisa
Snow, Kendall
Takesian, Charlene
Woodbury, David
Heath, Mary
Jeudy, Jean
Mangipudi, Latha
O'Brien, Michael
Peterson, Ken
Rosenwald, Cindy
Shattuck, Gilman
Soucy, Timothy
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Karrick, David
Kuch, Bill
Moffett, Howard
Saunderson, George
Wallner, Mary Jane
Bartlett, Christy
Doherty, David
Gile, Mary
Kenison, Linda
Long, Douglas
Patten, Dick
Schuett, Dianne
Walsh, Thomas
Bradley, Paula
Ebel, Karen
Henle, Paul
Kidder, David
Luneau, David
Ratzki, Mario
Shurtleff, Stephen
Wheeler, Deborah
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
MacKay, James
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Christie, Andrew
Doucette, Fred
Francese, Paula
Hagan, Joseph
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Potucek, John
Sytek, John
Azarian, Gary
Cali-Pitts, Jacqueline
Cushing, Robert
Elliott, Robert
Friel, William
Heffron, Frank
Major, Norman
McMahon, Charles
Packard, Sherman
Sanders, Elisabeth
Ward, Gerald
Berrien, Skip
Cardon, G. Thomas
Devine, James
Ferrante, Beverly
Gordon, Pamela
Hoelzel, Kathleen
Matthews, Carolyn
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Ward, Joanne
Borden, David
Chirichiello, Brian
DiFranco, Debbie
Fesh, Robert
Guthrie, Joseph
Introne, Robert
McBeath, Rebecca
Nigrello, Robert
Peckham, Michele
Simpson, Alexis
Webb, James

STRAFFORD

Baber, William
Burton, Wayne
Gray, James
Mullen, John
Southworth, Thomas
Wall, Janet
Berube, Roger
Cilley, Jacalyn
Horrigan, Timothy
Parsons, Robbie
Spang, Judith
Ward, Kenneth
Bickford, David
DiSesa, Len
Kaen, Naida
Rollo, Deanna
Sprague, Dale
Wuelper, Kurt
Bixby, Peter
Gardner, Janice
Leeman, Don
Schmidt, Peter
Verschueren, James

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Smith, Steven
Cloutier, John
Grenier, James
Converse, Larry
Oxenham, Lee
Gagnon, Raymond
Schmidt, Andrew

NAYS - 115

BELKNAP

Aldrich, Glen
Gallagher, Brian
Sylvia, Michael
Comtois, Guy
Howard, Jr., Raymond
Vadney, Herbert
Fisher, Robert
Luther, Robert
Varney, Peter
Fraser, Valerie
Spanos, Peter

CARROLL

Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane Darrow, Stephen Gionet, Edmond Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher Ammon, Keith Boehm, Ralph Bouldin, Amanda
Burt, John Christiansen, Lars Christie, Rick Donovan, Daniel
Eastman, Eric Edelblut, Frank Edwards, Elizabeth Estevez, Eric
Ferreira, Elizabeth Gould, Linda Goulette, William Halstead, Carolyn
Hansen, Peter Hogan, Edith Hopper, Gary Lachance, Joseph
Marston, Dick Moore, Josh Murotake, David Murphy, Keith
Notter, Jeanine O'Brien, William Ober, Russell Ohm, Bill
Parison, James Rice, Kimberly Schleien, Eric Seidel, Carl
Simmons, Tammy Souza, Kathleen Stepanek, Stephen Sullivan, Victoria
Twombly, Timothy Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Marple, Richard McGuire, Carol McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abramson, Max Allen, Mary Baldasaro, Alfred Barnes, Arthur
Bates, David Bush, Carol Cook, Allen Duarte, Joe
Emerick, J. Tracy Gordon, Richard Griffin, Mary Harris, Jeffrey
Hodgdon, Bruce Itse, Daniel Kappler, Lawrence Katsakiores, Phyllis
Kellogg, Shem Kolodziej, Walter Oligny, Jeffrey Osborne, Jason
Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James
Tamburello, Daniel Tasker, Kyle Thomas, Douglas True, Chris
Tucker, Pamela Vose, Michael Weyler, Kenneth Woitkun, Steven

STRAFFORD

Beaudoin, Steven Cheney, Catherine DeLemus, Susan Groen, Warren
Hannon, Joseph Kaczynski, Jr., Thomas Knowles, Robert Pitre, Joseph
Turcotte, Leonard Whitehouse, Joshua

SULLIVAN

Laware, Thomas Rollins, Skip

and the committee report was adopted.

HB 338, relative to nomination of candidates for United States senator. **INEXPEDIENT TO LEGISLATE.**

Rep. Jack B. Flanagan for Legislative Administration. The committee felt the current process of nominating and electing a US Senator is the appropriate way to select the candidate for office. This bill attempted to nominate the candidates via the New Hampshire House of Representatives and there were concerns that every individual in the state wouldn't have the ability to run for office. Vote 9-0.

Rep. Dan McGuire spoke against.

Rep. Flanagan spoke in favor.

Rep. Leeman requested a roll call; sufficiently seconded.

YEAS 252 - NAYS 75

YEAS - 252

BELKNAP

Fields, Dennis Fisher, Robert Flanders, Donald Gallagher, Brian
Howard, Jr., Raymond Luther, Robert Tilton, Franklin Vadney, Herbert
Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Mann, John
McConnell, Jim
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Piper, Wendy
Smith, Suzanne
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Balcom, John
Belanger, James
Biggie, Barbara
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael

Cali-Pitts, Jacqueline
Cook, Allen
Elliott, Robert
Friel, William
Hagan, Joseph
Introne, Robert
Matthews, Carolyn
Moody, Marcia
Packard, Sherman
Sanders, Elisabeth
Sytek, John
Webb, James
Cardon, G. Thomas
Cushing, Robert
Ferrante, Beverly
Gordon, Pamela
Heffron, Frank
Katsakiores, Phyllis
McBeath, Rebecca
Nigrello, Robert
Pantelakos, Laura
Schroadter, Adam
Thomas, Douglas
Chirichiello, Brian
Devine, James
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Potucek, John
Sherman, Thomas
Ward, Gerald
Christie, Andrew
DiFranco, Debbie
Francese, Paula
Guthrie, Joseph
Hoelzel, Kathleen
Major, Norman
McMahon, Charles
Oligny, Jeffrey
Rice, Frederick
Simpson, Alexis
Ward, Joanne

STRAFFORD

Baber, William
Burton, Wayne
Horrigan, Timothy
Schmidt, Peter
Turcotte, Leonard
Berube, Roger
DiSesa, Len
Kaen, Naida
Southworth, Thomas
Verschueren, James
Bickford, David
Gardner, Janice
Mullen, John
Spang, Judith
Wall, Janet
Bixby, Peter
Gray, James
Rollo, Deanna
Sprague, Dale
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Rollins, Skip
Cloutier, John
Grenier, James
Schmidt, Andrew
Converse, Larry
Laware, Thomas
Smith, Steven
Gagnon, Raymond
Oxenham, Lee

NAYS - 75

BELKNAP

Aldrich, Glen
Sylvia, Michael
Comtois, Guy
Fraser, Valerie
Spanos, Peter

CARROLL

Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Christie, Rick
Halstead, Carolyn
Marston, Dick
Murphy, Keith
Parison, James
Sullivan, Victoria
Boehm, Ralph
Donovan, Daniel
Hansen, Peter
McLean, Mark
Notter, Jeanine
Schleien, Eric
Twombly, Timothy
Bouldin, Amanda
Eastman, Eric
Hogan, Edith
Moore, Josh
O'Brien, William
Souza, Kathleen
Ulery, Jordan
Burt, John
Edelblut, Frank
Lachance, Joseph
Murotake, David
Ohm, Bill
Stepanek, Stephen

MERRIMACK

Brewster, Michael
Marple, Richard
Hill, Gregory
McGuire, Carol
Hoell, J.R.
McGuire, Dan
Horn, Werner
Seaworth, Brian

ROCKINGHAM

Bates, David
Gordon, Richard
Kellogg, Shem
Spillane, James
Vose, Michael
Bush, Carol
Harris, Jeffrey
Kolodziej, Walter
Tamburello, Daniel
Weyler, Kenneth
Duarte, Joe
Itse, Daniel
Osborne, Jason
True, Chris
Emerick, J. Tracy
Kappler, Lawrence
Prudhomme-O'Brien, Katherine
Tucker, Pamela

STRAFFORD

DeLemus, Susan	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Pitre, Joseph	Wuelper, Kurt

and the committee report was adopted.

HR 6, recognizing February 26, 2015, as the 23rd anniversary of the Khojaly Tragedy in Azerbaijan. **INEXPEDIENT TO LEGISLATE.**
Rep. Lucy M. Weber for Legislative Administration. Committee members recognize the horrors of genocide and the tragedy that occurred on February 25 and 26, 1992. That is why, in 2014, we passed a bill now codified as RSA 4:13-t, which recognized the month of April as New Hampshire Genocide Awareness Month. The goal of that bill was to ensure ongoing awareness of and education about genocide, both historically and in the present. Committee members believe that is the best way to address this most important and difficult of issues, rather than addressing the subject in separate resolutions. Vote 8-0.

LAID ON THE TABLE

Rep. Hinch moved that **HR 6,** recognizing February 26, 2015, as the 23rd anniversary of the Khojaly Tragedy in Azerbaijan, be laid on the table.
Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HR 8, commemorating the 50th anniversary of the Social Security Act of 1965. **INEXPEDIENT TO LEGISLATE.**
Rep. Jack B. Flanagan for Legislative Administration. This bill commemorates the Social Security Act of 1965. The majority felt that there was no need to celebrate various Federal Acts in the state legislature. Although this act made changes in the dispensing of medical care, it wasn't to be recognized by this resolution. Vote 9-0.
Reps. Horrigan and Emerson spoke against.
Rep. Russell Ober spoke in favor.
On a division vote, 255 members having voted in the affirmative and 71 in the negative, the committee report was adopted.

HB 145, allowing municipalities to dedicate a percentage of timber yield taxes to the conservation fund. **INEXPEDIENT TO LEGISLATE.**
Rep. David A. Bickford for Municipal and County Government. The committee felt the timber yield tax should continue to be deposited into the general fund. There are already two funding mechanisms designed to fund the conservation fund. One is by designating the Current Use Penalty funds into the conservation fund and the other is by appropriations through the Conservation Commission account where any unspent funds is allocated to the conservation fund rather than lapsing like other accounts at the end of the fiscal year. The committee felt funds going through the general fund is subject to better controls and transparency. The governing body is already able to introduce annual warrant articles to direct a portion of the timber taxes to the conservation fund. Vote 16-2.
Rep. Porter corrected the committee report.
Committee report adopted.

HOUSE RESOLUTION 12

A RESOLUTION affirming revenue estimates for fiscal years 2015, 2016, and 2017.

Whereas, the House Ways and Means Committee has considered what the unrestricted revenue estimates should be for fiscal years 2015, 2016, 2017 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2015, 2016, and 2017.

Committee estimates are based on current law and economic conditions. Committee estimates will be updated in March, April, May and June to reflect current conditions and economic forecasts.

GEN'L & EDUCATION TRUST FUND: (Dollars in Millions)	FY 2015 Official Estimate	FY 2015 Committee Estimate	FY 2016 Committee Estimate	FY 2017 Committee Estimate
Business Profits Tax	$340.500	$321.580	$328.000	$334.179
Business Enterprise Tax	227.700	214.420	218.700	222.821
Subtotal	568.200	536.000	546.700	557.000
Meals & Rooms Tax	265.200	273.800	287.500	300.400
Tobacco Tax	208.600	215.150	214.200	213.000
Liquor Sales	136.000	136.900	141.400	146.300
Interest & Dividends Tax	98.000	81.500	81.500	81.500
Insurance Tax*	109.500	115.100	116.800	104.300
Communications Tax	62.500	60.000	61.500	63.000
Real Estate Transfer Tax	102.200	114.850	113.400	118.000
Court Fines & Fees	13.000	13.500	13.800	13.800
Securities Revenue	37.600	41.800	42.200	42.800
Utility Consumption Tax	6.000	6.000	6.000	6.000
Beer Tax	13.200	13.400	13.400	13.400
Other	70.300	69.100	69.800	70.200
Lottery Transfers	77.300	77.100	73.200	75.200
Racing & Charitable Gaming	3.400	3.000	2.500	2.500
Tobacco Settlement	44.400	42.275	42.275	39.000
Utility Property Tax	35.400	42.500	41.300	41.800
Statewide Property Tax	363.600	363.400	363.100	363.100
Medicaid Recoveries	5.400	5.400	9.800	10.400
TOTAL GEN'L & EDUCATION TRUST FUNDS	$2,219.800	$2,210.775	$2,240.375	$2,261.700

*Insurance tax estimates do not include potential revenue associated with the implementation of step 2 of the New Hampshire Medicaid Care Management Program.

HIGHWAY FUNDS: (Dollars in Millions)	FY 2015 Official Estimate	FY 2015 Committee Estimate	FY 2016 Committee Estimate	FY 2017 Committee Estimate
Road Toll	$122.000	$121.800	$121.200	$120.600
Motor Vehicle Fees	109.900	110.000	106.300	112.900
Miscellaneous	15.000	15.000	1.300	0.900
TOTAL HIGHWAY FUNDS	$246.900	$246.800	$228.800	$234.400

FISH AND GAME FUNDS: (Dollars in Millions)	FY 2015 Official Estimate	FY 2015 Committee Estimate	FY 2016 Committee Estimate	FY 2017 Committee Estimate
Fish & Game Licenses	$8.500	$8.500	$8.500	$8.500
Fines & Miscellaneous	1.600	2.500	1.800	1.800
TOTAL FISH & GAME FUNDS	$10.100	$11.000	$10.300	$10.300

Reps. Major and Almy moved Ought to Pass and spoke in favor.
Motion adopted.

LAID ON THE TABLE

Rep. Major moved that **HR 12,** affirming revenue estimates for fiscal years 2015, 2016, and 2017, be laid on the table.
Motion adopted.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, February 12, 2015 at 1:00 p.m.
Motion adopted.

LATE SESSION

Third reading and final passage

HB 118, relative to vehicular assault.
HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety.
HB 217-FN, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board.
HB 333, establishing a process for review and reporting of dedicated funds.
HB 190, establishing a statutory commission to study the standards for collaborative pharmacy practice.
HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards.
HB 107, relative to the retention of municipal trust fund bank statements.
HB 155, relative to municipal contracts for police chief.
HB 166-L, relative to records storage by municipalities.
HB 275, relative to the encroachment of a town cemetery on state-owned land.
HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services.
HB 254, relative to exceptions to restrictions on boating.
HB 259, relative to the reporting date of the economic development strategy and plan.
HB 281, defining "exotic aquatic species of wildlife" and relative to the duties of the exotic aquatic weeds and species committee.
HB 130, relative to the use of blue lights on emergency vehicles.
HB 178, relative to exclusions from seasonal highway weight limit regulations.
HB 119, establishing the John G. Winant Memorial Commission.
HB 330, establishing an oversight commission for medical cost transparency.
HB 147, relative to the homestead exemption amount.
HB 153, relative to the telecommunications planning and development advisory committee.
HB 362, relative to the reliability of the electric grid.
HB 133, relative to recounts on questions.

UNANIMOUS CONSENT

Reps. Alicea and Kris Roberts requested Unanimous Consent of the House in regards to celebrating Black History Month and addressed the House.
Rep. Itse requested Unanimous Consent of the House in regards to the form of government and addressed the House.
Rep. Frederick Rice requested Unanimous Consent of the House in regards to flag etiquette and addressed the House.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Alicea and by Rep. Kris Roberts be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Alicea: Thank you, Mister Speaker. Mister Speaker, Honorable colleagues, State House staff, and guests in the Gallery, I have lived in New Hampshire for 46 years and as many of you have, I have witnessed our beloved state become more and more diverse. Though I would like to tell you my story, I will not take the Houses' time to do so. What I will share is that like everyone in this room, I would not be where I am today if it were not for people who fought and lost their lives to make things better for the next generation. I truly salute those persons that put their lives on the line, those persons whose shoulders I now proudly stand on. Differences bring us together, likenesses keep us together and the work that we do today will bring us forward to tomorrow. February is designated as Black History Month. Dr. Martin Luther King Jr's speech, "I have a Dream," gave many people of all faiths, races, ethnicities and cultures a voice of hope. I was one of those persons and that is why today I can comfortably stand in front of you and share that my hope is to advance the dream. I would like to take a moment and read a poem written by one of my favorite authors, Khalil Gibran, titled "The Prophet."

Your children are not your children.
They are the sons and daughters of Life's longing for itself.
They come through you but not from you,
and though they are with you yet they belong not to you.
You may give them your love but not your thoughts,
for they have their own thoughts.
You may house their bodies but not their souls,
for their souls dwell in the house of tomorrow,
which you cannot visit, not even in your dreams.
You may strive to be like them,
but seek not to make them like you.
For life goes not backward nor tarries with yesterday.
You are the bows from which your children
as living arrows are sent forth.
The archer sees the mark upon the path of the infinite,
and He bends you with His might
that His arrows may go swift and far.
Let your bending in the archer's hand be for gladness;
for even as He loves the arrow that flies,
so He loves also the bow that is stable.

The word diversity is a noun. It means variety, a point of difference and unlikeness. Again, I say that differences bring us together, as likeness keeps us together. The work that we do here today will bring us forward to tomorrow. I would ask you to honor our future generations and advance the dream. It doesn't take much. Ask yourself at the end of the day, did I very eagerly respect or service an individual today or yesterday? Thank you.

REMARKS

Rep. Kris Roberts: Thank you, Mister Speaker. Sometimes my voice goes out, so please bear with me. In 1718, New Hampshire barred all Negroes and Indians from serving in the militia. With the passage of the New Hampshire Militia Law in 1776, that exclusion was expanded to include mulattoes. It wasn't until 1777 that Negroes were allowed to serve. However, they had to be slaves substituting for white militiamen. Any slave accepted into a New Hampshire regiment was purchased by the state of New Hampshire and was granted his freedom. In 1775, the Massachusetts Committee of Safety stated that "all such as are Freemen" could join the army assembling near Boston but that "no slaves be admitted whatsoever." As the colonial forces assembled outside Boston, dozens of free men from New England colonies, with their fellow white colonist prepared to risk their lives in the impending battle of Bunker Hill. The New Hampshire Militia Law did not prevent Jude Hall, a free man from Exeter, New Hampshire from risking his life at Bunker Hill. Jude Hall, with other free black men, willingly risked their lives fighting for the same freedoms and rights that took almost 200 years for their descendants to enjoy. I wonder how many New Hampshire free men and women were lost to history because they had been barred by law from proudly serving under the colors of New Hampshire. On a cold rainy night back in 1842, pro-slavery Senator Moses Norris, Jr., on his way home came across a hungry black man who had been refused shelter in a nearby hotel, sitting on a gravestone in Pittsfield, New Hampshire. Despite his views on slavery, Senator Norris took him to his home so the black man could be fed and have a place to spend the night. Upon entering his home, the black man was greeted with distain by Mrs. Norris and was repeatedly called the N-word by the children. This pro-slavery senator, for some reason known only to him, may have changed the course of American history. This black man, a former slave, a son of a white man and a black slave, was to visit New Hampshire twice more, to include speaking at the 1,000 seat Portsmouth Lyceum. "I once knew a little colored boy, whose mother and father died when he was but six years old. He was a slave and had no one to care for him. He slept on a dirt floor in a hotel, and in cold weather, would crawl into a meal bag head foremost, and leave his feet in the ashes to keep them warm. Often he would roast an ear of corn and eat it to satisfy his hunger, and many times, he had crawled under the barn or stable and secured eggs, which he would roast in the fire and eat. That boy did not wear pantaloons, as you do, but a tow-linen shirt. Schools were unknown to him, and he learned to spell from an old Webster spelling book, and to read and write from posters on cellar

and barn doors, while boys and men would help him. He would then preach and speak, and soon became well known. He became a presidential elector, United States marshal, United States recorder, United States diplomat and accumulated some wealth. He wore broadcloth, and didn't have to divide crumbs with the dogs under the table. That boy was Frederick Douglass. What was possible for me is possible for you. Don't think because you are colored you can't accomplish anything. Strive earnestly to add to your knowledge. So long as you remain in ignorance, so long will you fail to command the respect of your fellow men." For the people who question the need for black history month, today we first acknowledge, we acknowledge not only the mistakes made by this General Court and people of New Hampshire, but also acknowledge the actions taken by the people of New Hampshire to rectify those mistakes. But, even more important as a fatherless, mixed race child living on welfare with a mother having a 9th grade education and six younger siblings, I needed heroes who looked like me. When he said these words, "What was possible for me is possible for you. Don't think because you are colored you can't accomplish anything. Strive earnestly to add to your knowledge." I had my hero and my life was forever changed. Just like Senator Norris, one single act can possibly change the course of a life, and possibly the course of American history. Jude Hall and Frederick Douglass may have been black heroes, but they were New Hampshire and American heroes. That is why we have Black History month, not just for African-Americans, but for all Americans. Thank you.

RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 4:10 p.m.

RECESS

(Speaker Jasper in the Chair)

Rep. Chandler moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 6

Thursday, February 12, 2015

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Paul C. Smith, Clerk of the New Hampshire House of Representatives.
Most Holy and glorious Lord God, You have told us that whenever there are two or three gathered together in Thy name, Thou will be in the midst of them and bless them. In Thy name, we have gathered today to hear the Governor's budget address. Grant that the address be brief, but powerful. Grant that the members take heed of her words. Grant that Your actions guide us all in our daily work. In Your name we pray. Amen.

Representative David Luneau, member from Hopkinton, led the Pledge of Allegiance.

The National Anthem was sung by Christine Charman, wife of Rep. Fothergill.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Booras, Darrow, Gould, Gladys Johnsen, McClarren, Milz, O'Hearne, Parkhurst, Kris Roberts, Russell, Sanders and Sterling, the day, illness.
Reps. Avellani, Berrien, Chirichiello, Andrew Christie, Converse, Crawford, Flanders, Friel, Gagne, Gargasz, Haefner, Hatch, Hennessey, Hess, Higgins, Hodgdon, Kellogg, Ley, Mangipudi, Martin, McBeath, McLean, Nigrello, Nordgren, Michael O'Brien, O'Neil, Oligny, Pierce, Piper, Proulx, Frederick Rice, Rideout, Carol Roberts, Sad, Seaworth, Silva, Simpson, Gregory Smith, Steven Smith, Suzanne Smith, Sytek, Takesian, True, Alan Turcotte, Vose, Robert Walsh, Thomas Walsh, Weber, Welch and White, the day, important business.
Rep. Marjorie Smith, the day, illness in the family.
Rep. Frazer, the day, death in the family.

INTRODUCTION OF GUESTS

Leadership New Hampshire participants, guest of the Speaker.

RESOLUTION

Reps. Flanagan and Shurtleff moved that the House notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the Budget Address by her Excellency, Governor Margaret Wood Hassan.
Motion adopted.

SENATE MESSAGE

The Senate is ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of hearing the budget address by her Excellency, the Governor Margaret Wood Hassan.

INTRODUCTION OF SENATE

The Acting Sergeant-at-Arms introduced the Honorable Senate and Senate President, Chuck Morse of Salem.

JOINT CONVENTION

(Speaker Jasper presiding)

The Acting Sergeant-at-Arms introduced the following special guests: Administrative Judge of the Circuit Court, the Honorable Edwin W. Kelly. Associate Justices of the New Hampshire Supreme Court, the Honorable James P. Bassett, the Honorable Robert J. Lynn and the Honorable Carol Ann Conboy. Senior Associate Justice of the New Hampshire Supreme Court, the Honorable Gary E. Hicks. Chief Justice of the New Hampshire Supreme Court, the Honorable Linda Stewart Dalianis. Executive Councilor for District 2, the Honorable Colin Van Ostern. Executive Councilor for District 4, the Honorable Christopher C. Pappas.

The Acting Sergeant-at-Arms introduced the Governor, her Excellency, Margaret Wood Hassan.

BUDGET ADDRESS

Her Excellency, Governor Margaret Wood Hassan, addressed the Joint Convention.

Mr. Speaker, Mr. Senate President, Madam Chief Justice, Honorable members of the House, Senate and Executive Council, my fellow citizens. Today, I present to you a fiscally responsible, balanced budget - with no income or sales tax. This is a budget that helps expand opportunity for middle class families, supports job-creating businesses, encourages innovation, and aims to attract and retain more young people here in New Hampshire. It is a budget that continues re-thinking and re-shaping how state government works to make us more effective and efficient and to stretch our citizens' tax dollars as far as possible. It is a budget that is honest about how we will use our limited resources, beginning to move away from misleading budgeting gimmicks. And it is a budget that does not include a major new revenue source, while also recognizing that we cannot afford to further erode the revenue sources that we have. Our country's economy continues to strengthen – and in many respects, New Hampshire remains ahead of the curve. In December, our unemployment rate dropped to four percent, the seventh lowest in the country and the lowest in New England. Our median household income in 2013 was the highest in the nation, and our private sector has recovered all of the jobs lost in the recession. Once again, we were ranked the best state in the nation based on more than a dozen measures of quality of life. And another recent report ranked New Hampshire as the best state to live and the best state to earn a living. Despite the many encouraging signs that indicate that our economy is moving in the right direction, we know that we remain at the beginning of our work to ensure that all of our citizens are included in our shared success and prosperity. Today, we stand at a critical juncture. We lead the nation in many measures, and our economic potential is strong, but respected economists and public policy experts say there are warning signs ahead: our population is aging and in-migration is slowing. Our ability to address these trends as quickly as we might like is impeded by a number of challenges in recent years – the recession, tax law changes and resulting loss in revenue, and lawsuits that needed to be addressed in order for us to move forward. Given these challenges, this is a tight budget that reflects difficult choices. This is a common-sense budget that invests to stem troublesome demographic trends and build a brighter economic future with more opportunity to climb the ladder of success. A future where innovative businesses are creating more good jobs, where more of our young people are staying and thriving, and where young families and workers are once again choosing New Hampshire. This future will not simply happen by chance. Seizing New Hampshire's full economic potential will require bipartisan problem-solving, innovative thinking, and fiscally responsible, strategic investments in our shared priorities. Two years ago, we recognized these imperatives, coming together to pass the most bipartisan budget in more than a decade. It was a budget that strengthened the foundation of our innovation economy, investing in critical priorities for our middle class families, our businesses, and our young people – without a sales or an income tax. Our bipartisan budget restored funding for higher education, allowing us to freeze tuition at our university system, and lower it at our community colleges. It reinvigorated our commitment to economic development, and it made significant progress on the priorities that are critical for improving the health and well-being of our people and communities, helping maintain our status as one of the safest, healthiest and most livable states in the nation. In addition, through fiscally responsible, bipartisan efforts over the past two years we were able to restore our credit outlook to stable by ending costly lawsuits that threatened our state's finances and bond rating. As you know, we have also faced a number of budgetary challenges over the past two years, from paying for mandated but unspecified back-of-the-budget cuts, to additional appropriations approved by the legislature, to the rising number of children receiving traditional Medicaid coverage, to concerns about the failure of revenue from business taxes and the interest and dividends tax to meet plan. We have made tough decisions to confront these challenges head-on, and thanks to prudent management, combined with proposed legislation, we are in a position to finish Fiscal Year 2015 in the black. Last May, I issued a preventive and preemptive freeze on generally funded hiring, equipment, purchasing and out-of-state travel, and that freeze remains in effect today. I also issued an Executive Order last November reducing Executive Branch expenditures by 18 million dollars, and I worked with the Department of Health and Human Services to put in place a plan to keep that department's budget balanced in the face of new costs, new demands and across-the-board cuts required by the legislature. As you know, I also recommended a one-time tax amnesty program that would allow taxpayers who may have fallen behind to catch up with reduced penalties, helping them get out from under the weight of these debts. And I have

recommended another piece of legislation to make additional reductions and changes to ensure that we end Fiscal Year 2015 with a balanced budget. The good news is that, moving forward, our consensus revenue estimating panel projects that the economic recovery – combined with stronger revenues in some areas, such as the insurance premium tax thanks to health care expansion – means that we should end this year close to our original revenue plan despite the significant year-to-date shortfall in revenue from business taxes and the interest and dividends tax. As we take the responsible actions needed to close out this budget in balance and look toward the future, I hope that we can continue to build on our bipartisan progress of the last two years. The simple fiscal reality is that our progress won't be as fast as some of us would like, and we won't be able to do everything. But we can still overcome our challenges, together, if we recognize that the needs of families and businesses are changing, and that we too must adapt our approach to meet those needs. The young people and innovative businesses we hope to attract and keep here in New Hampshire appreciate our low-tax environment, which we must maintain. They are also looking for good schools, affordable higher education, modern transportation options, workforce opportunities, and safe, healthy communities, and they will not sacrifice these priorities that they care about... the priorities that will drive our economic growth for decades to come. We can no longer govern by lawsuit, waiting for the force of a court order to address the challenges facing our state, and we no longer need to simply be reactive to the economic crisis. Now that the crisis is over, we must commit to addressing things that we put off – with good reason – during the recession. We must be frugal – that is who we are as Granite Staters – but we should not be penny-wise and pound-foolish. While this budget is frugal, it keeps us moving forward. This budget reflects the priorities I hear from Granite Staters and businesses as I travel across the state. And as with every budget, it required difficult choices to ensure that we protect our shared priorities while living within our means and maintaining one of the lowest tax burdens in the nation. In preparing this budget, we cut more than one billion dollars from total agency budget requests and more than 500 million dollars from agency general fund requests over the biennium. We also begin to transition away from the budgeting gimmicks that have been used for far too long, misleading the public about what we can truly afford to do. This budget does not include back-of-the-budget cuts, a practice that requires department heads to cut programs and services that the legislature supposedly funded, and in this budget, we begin to decrease so-called "lapse" estimates. The "lapse" estimate started out as a recognition that agencies can't spend every penny in every line item of their budgets, and that there would naturally be some money leftover at the end of the year. Unfortunately, these lapse estimates have been inflated so much in recent years that they have become another unspecified budget cut. Both back-of-the-budget cuts and inflated lapses are practices that allow us to promise more than we can deliver, while hiding behind our state agencies as they make reductions. In my budget, I have been specific and transparent in what I have chosen to fund – and in what I recognize that we simply can't afford at this time. The legislature should do the same. In this budget, many state agencies are budgeted at or below their Fiscal Year 2015 budget appropriation. To hold the line on spending, this budget implements some of the recommendations of the Innovation Commission, including increasing flexibility for state managers, expanding our efforts to centralize key services, consolidating some function areas, and creating the position of a Chief Operating Officer. The Chief Operating Officer's sole job will be to work across state agencies to drive process and efficiency improvements. To help the Chief Operating Officer achieve that goal, we have also created an innovation fund, allowing agencies -- with the approval of Governor and Council -- to move forward with efficiency projects that can provide solid returns on investment. We also invested in greater centralization of basic services, adding two more purchasing agents to the Department of Administrative Services and a contract attorney to the Department of Justice, who will work with agencies to make sure that we are leveraging all of our buying power to get the best deal for taxpayers. And we are recommending clearer authority for the Department of Information Technology to set standards, particularly around cybersecurity. We are also combining, eliminating or reducing the frequency of dozens of reports that agencies are required to produce – few of which are read. The Department of Resources and Economic Development alone, for example, is required to produce 44 separate reports annually. With this budget, we are not only going to streamline the production of reports, we are also going to allow agencies to submit reports electronically. As the Innovation Commission noted, our state government structure has been fundamentally the same for 30 years – even as revenues, budgets and needs have changed. Our budget recognizes the need to begin

modernizing the structure of state government in order to improve efficiency and services for our citizens. We can no longer afford numerous one-, two- or three-person agencies. That's why this budget creates the Office of Professional Licensure, to provide staff and support to all of our professional boards, merging the Joint Board, the Health and Human Services boards, the Real Estate Commission, and several other small boards. The dedicated volunteers who serve on these important boards will continue their critical role of setting the rules for their professions and ensuring that those rules are followed, while the office and its director will oversee the administrative functions, including ensuring that more services of the boards are available online. This budget also merges the Racing and Charitable Gaming Commission into the Lottery Commission, allowing for greater efficiency, effectiveness and better enforcement. And in a similar step, it also moves the Highway Safety Agency into the Department of Safety six months into the first year of the biennium. Combined, these steps will help streamline state government and help provide even higher quality customer service for our people and our businesses. While we take steps to innovate and improve how state government operates, we know that we must continue making progress on what our families, young people and businesses need for success in the 21st century economy. What I hear more than anything else from our businesses, both big and small, is the need for an even stronger workforce pipeline. That's why this budget builds on the important steps we've taken to begin holding down the cost of higher education, increasing funding over the biennium by 13 million dollars at the university system and by six-and-a-half million dollars at our community colleges compared to Fiscal Year 2015. With this renewed commitment to our colleges and universities, we believe that the leadership of both systems should work as hard as possible to hold down the cost of tuition. In fact, the community college system has already indicated that with this increase, they will be able to lower in-state tuition again in 2016 and 2017. In the past year, we have begun a pilot program through the Bureau of Adult Education to help adults get any remedial education they need before they get to the community college system. This helps adult students save their Pell Grant allotment, and helps us make sure that we are using our higher education dollars as effectively as possible. We are expanding that pilot program to all of our community colleges by the end of the biennium. Investing in the future of young Granite Staters doesn't begin or end with higher education, and this budget takes steps to ensure that we are providing our students with a rigorous public education at every step of the way. We know that early childhood education, including full-day kindergarten, is a fundamental aspect of long-term success and that access to education during these critical years of learning shouldn't be determined by a parent's income. While the money isn't available to bring full-day kindergarten statewide all at once, we can take steps to move forward, including developing a better understanding of the capacity of each district to expand to full-day. This budget includes a study to evaluate the facility needs of local districts to make full-day kindergarten a reality. Adequate facilities are essential for students to learn, and this budget continues funding for the projects that we have already committed to, but unfortunately there are not sufficient funds to support new school building projects at this time. As we prepare our students for success in the 21st century, developing skills in the STEM fields of Science, Technology, Engineering and Math is more important than ever in today's global economy, helping lead to better paying and more stable careers. Earlier this year, our STEM Task Force issued its recommendations on how to better prepare our students in these critical fields, and this budget funds a new STEM specialist at the Department of Education to help our schools modernize STEM education. In addition, this budget will help encourage innovation by providing an additional 19 million dollars in charter school funding over the biennium to allow for growth in the charter school population and to allow for new charter schools. And to support students across the state, we are increasing the cap on adequacy distribution growth to local districts to 115 percent. In addition to a highly skilled workforce, we know that our businesses need a healthy workforce in order to grow and to thrive. Last year, we came together across party lines to pass a historic health care expansion plan. New Hampshire's business community, as well as our hospitals and health care providers, support this bipartisan plan because it reduces health care cost-shifting onto our families and businesses, strengthens the health of our workforce, and boosts our economy. Because of our expansion plan, nearly 34,000 hard-working Granite Staters now have the health and economic security that comes with quality, affordable health coverage. And next year, these individuals will move to private coverage through the state's health insurance marketplace, helping increase competition that will improve affordability and increase choices for all of New Hampshire citizens. Across the nation, more and more states are moving forward with

health care expansion, and states without it will see higher costs and find it harder to compete. This budget provides for the reauthorization of our expansion plan and includes the funds needed to cover New Hampshire's share in the next biennium, maintaining our commitment to our people and businesses, and to the future of our economy. Our budget also recognizes the savings we will see in the next two years from our work on health care expansion, including estimated reduced costs for uncompensated care and the ability to move people formerly served by several special programs to the marketplace or to the health protection program. And those savings don't even include the long-term savings that come from a more productive and healthier workforce. In addition, our budget also recognizes a significant increase in insurance premium tax revenue from the health protection program and the marketplace. Allowing expansion to sunset would result in reduced savings and reduced revenues. Allowing expansion to sunset would result in increased cost-shifting onto all of our people and businesses. And allowing expansion to sunset would cause significant harm to the health and financial security of the thousands of men and women receiving coverage. We must maintain our commitment to our bipartisan health care expansion plan. In order to continue strengthening our health care system and to maximize our health care dollars, this budget also moves forward with implementing the "so-called" Step 2 of Medicaid managed care. For me, for the individuals and for the families we serve, the most important thing is doing Step 2 right. Our driving force should be better services. That's why this budget includes stable rates and stable funding for both years of the biennium, ensuring that implementation is based only on a timeline and principles that work for recipients, families, providers, and all other stakeholders. And to further ensure that our most vulnerable have the services that they need, our budget proposal maintains funding for services for people who experience developmental disabilities, people with acquired brain disorder, those needing long-term care, and other 'waiver' services. It also funds what has historically been called the waitlist, but that term suggests that we don't have a moral and legal obligation to provide these services. We do – which is why we have renamed that budget line, now calling it transitional services, which will fund care for the estimated 600 people who will become eligible over the next two years. We must also continue our work to ensure that our veterans and their families, who have sacrificed bravely in defense of our freedoms, receive the full care and support that they deserve. This budget adds a Veterans Services Officer to the State Office of Veterans Services and it will allow us to open 25 additional beds at the State Veterans Home. In addition, our capital budget includes funding for an additional unit at the State Veterans Home that will be dedicated to care for veterans with Alzheimer's or other dementias. As we work to improve health care for all of our citizens, we must continue our efforts to address our strained mental health system, which remains a pressing challenge facing our families, health care providers, police officers, and communities across the state. This budget funds the new crisis unit at New Hampshire Hospital to help relieve overcrowded hospital emergency rooms. And by including the funds necessary to maintain our commitment to our landmark mental health settlement, this budget will help alleviate the strain on our state's mental health system and ensure that we are providing appropriate care at the right place and time, before the point of crisis. Substance misuse – which at times co-occurs with mental illness – also remains a serious public health and safety challenge facing our state. In 2014, we had more than 280 drug overdose deaths – an unprecedented number – with many of those caused by heroin or related drugs. To address the rising rate of heroin and opioid overdoses, we have worked to train our first responders in the safe and effective use of Narcan, an emergency treatment for someone who has overdosed. We recently announced rules to create a new license that would allow all trained police officers the option to carry and administer Narcan. While increasing the safe and effective use of Narcan will help us save lives, we know that we must also strengthen our prevention and treatment efforts. Our bipartisan health care expansion plan provides coverage for treatment for substance and alcohol abuse, and this budget adds funds in the second year of the biennium to extend the full substance use disorder benefit to traditional Medicaid. This budget further builds on our efforts to address the substance misuse challenge facing our state, tripling funding over the biennium to the Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery. These steps together will help ensure that our state remains among the healthiest in the nation, while promoting a healthy, highly skilled workforce that is prepared for success in the innovation economy. And there are other basic requirements that must be met in order for our workers and businesses to thrive and grow, and to ensure that we are attracting and keeping the young people here who will drive our future economic growth. We know

that a modern, safe transportation infrastructure is critical to the success of our people and businesses. The bipartisan transportation funding plan that we passed last year is advancing critical road and bridge projects and helping to finish the long-overdue expansion of Interstate 93. But we still have work to do to ensure the full range of modern transportation options that our people and businesses need. The business community is calling on us to take action on commuter rail because it will improve access to the entire region and provide new transportation and housing opportunities that 21st century workers and families are looking for. Commuter rail will build on our many advantages and help set the stage for a new generation of economic growth by keeping more of our young people right here in the Granite State. That's why, as recommended by the Capital Corridor Rail Study, our capital budget includes four million dollars for the environmental and engineering assessment that this vital project requires to move forward. Finding consensus to make commuter rail a reality will require buy-in from local communities, the federal government and from Massachusetts, as well as robust public-private partnerships. I know that we can work together to move this project forward, and the environmental and engineering assessment is an important next step. We must also maintain a healthy and thriving port that can drive economic growth for years to come. Our capital budget provides funds to Pease for the Port Authority to secure additional federal dollars needed to expand the turning basin in the Piscataqua River, making it easier for larger ships to operate and bring their goods and services to our state. While improving our transportation infrastructure is crucial, it is just one of the ways that we can help promote economic development, and this budget takes other important steps to support growing businesses. We need to keep more of our young people here in New Hampshire, but we also need to once again encourage more young people from other states to choose New Hampshire. That's why this budget will allow the Department of Resources and Economic Development to develop a workforce recruitment strategy that will help serve our existing businesses and attract more job-creating companies to our state. We are also providing additional support for the Small Business Development Center, which helps small businesses get off the ground. And to build on the work of our Live Free and Start initiative, which is focused on making it easier for innovative businesses to start up and grow, this budget also adds two-hundred-and-fifty thousand dollars for education and acceleration programs at our business incubators – like Alpha Loft's Accelerate New Hampshire. These accelerator programs provide intense support, mentorship and investment to help participating companies grow faster and put them in a better position to seek additional long-term funding through angel investors and venture capitalists. This budget also recognizes that as our second largest industry, travel and tourism is integral to our economy, so it provides for an increase in travel and tourism promotion that will benefit workers and businesses across the state. Also understanding that local agriculture and our state's working landscape are critical to our economy, culture and way of life, this budget more than doubles agriculture promotion. We also know that workers at our growing businesses need access to affordable housing in the communities where they work, so our capital budget proposal includes two million dollars for the Housing Finance Authority, which will help create at least 100 and as many as 250 non-age-restricted new homes, with priority for veterans. Our families, workers and businesses also need us to continue to focus on building a more affordable energy future. As we are experiencing this winter, high energy costs remain a burden on our people and our businesses. In order to reduce costs, we need to increase the supply of natural gas and diversify our energy resources. As we consider debates about new transmission and new natural gas pipelines, we cannot do it in isolation or with the expectation that they will solve all of our problems. Any proposed project must deliver real benefits to our ratepayers, while also incorporating the views of local communities and protecting our natural resources. And a successful long-term strategy – as recommended by the hundreds of stakeholders who helped develop our state's energy plan – must include stepping up our energy efficiency efforts and supporting small home- and business-based renewable energy projects. The Regional Greenhouse Gas Initiative and the Renewable Energy Fund are critical to encouraging energy efficiency and diversification through our growing clean energy sector. This budget uses those funds to expand efficiency and renewable energy projects, which will help reduce costs for ratepayers, create jobs and decrease harmful emissions that lead to climate change. Our budget also seeks to maintain the natural, historic and cultural resources that make our state such a special place to live, work and visit by maintaining our commitment to the Land and Community Heritage Investment Program. And this budget provides important funding for municipalities, funding existing water treatment projects for communities and increasing meals and

rooms distributions by five million dollars in the second year of the biennium. Another crucial component of New Hampshire's high quality of life is the safety of our communities, and we should be proud that our state has long been recognized as one of the safest states in the nation. But improving public safety must always be an ongoing effort. We took an important step forward in our last budget by putting more troopers on the road, and this budget continues those efforts by providing for three additional troopers to keep our roads safe and two additional State Police detectives to help combat the opioid crisis. This budget also continues to fund our cold case unit, continues to fund drug task force teams and maintains the restoration of the Children in Need of Services program. But to truly address the public safety needs of our state, we must also renew our focus on the corrections system. In the last capital budget, we came together to finally fund the construction of a new women's prison, which is set to open in late 2016. The new women's prison will be an important step forward for the safety of our communities, and our capital budget allows us to complete the construction of this critical facility. But there are other challenges in our corrections system as well. For too long, we have required corrections workers to work mandatory overtime because of staff shortages, straining our corrections officers to their limits. Through enhanced recruiting efforts and a new program to re-certify probation and parole officers who have previously worked as corrections officers, the Department of Corrections has made progress in addressing its staffing challenges, and we must continue that progress. That's why this budget recognizes our responsibility to adequately fund the Department of Corrections, allowing the department to fill positions and staff the new women's prison. To fund the priorities that are essential to safe, healthy communities and a thriving economy, this budget relies on realistic, conservative revenue growth as recommended by the nonpartisan experts on the Consensus Revenue Estimating Panel. Indications are that the next two years will be strong years for the economy, but we maintain conservative revenue projections of 2.7 percent baseline revenue growth in the first year of the biennium and 1.9 percent in the second. We know that the business community needs a skilled and healthy workforce, a solid transportation infrastructure and lower energy costs. We know that our families are counting on safe communities, good schools and a high quality of life. And we know that young people want affordable higher education and modern transportation options. These are priorities that must be met if we want to overcome the trends that are holding our economy back, if we want to expand opportunity and build a more innovative economic future. And meeting these priorities will require a fiscally responsible approach that recognizes the importance of ensuring sufficient revenue to make strategic investments in strengthening our economy. Adjusted for inflation, the Fiscal Year 2016 general and education trust fund budget is at least 250 million dollars less than what Governor Benson and a Republican legislature spent in 2004. We face lost revenue from the Medicaid Enhancement Tax, as well as other lost revenues over the years, while fees have held steady even as costs have increased. We also continue to see significant shortfalls in year-to-date revenues from business taxes and the interest and dividends tax. Therefore, in order to invest in the priorities that are critical to our middle class families, young people and innovative businesses, this budget makes modest adjustments to ensure that we have the revenue needed to make strategic investments and help build a more innovative economic future. We know that our youth smoking rate is too high, and cigarette taxes have proven to be one of the most effective ways to prevent youth smoking. This budget raises the cigarette tax by 21 cents. That will still keep our cigarette tax below our surrounding states. It also provides tax parity for other related products, including smokeless tobacco, cigars and e-cigarettes. Another measure to ensure that we can invest in our shared priorities is to allow the operation of Keno and self-service lottery terminals in certain establishments, with licensing enforced by the Lottery Commission. Six of the ten most lucrative Keno locations in Massachusetts are located within five miles of the New Hampshire border. Allowing Keno and self-service lottery terminals would help bring that revenue back home to invest in our priorities. Representative Lynn Ober has sponsored Keno legislation in the House, which I hope will gain the support of the legislature. This budget also funds auditor positions at the Department of Revenue Administration that have been left vacant for far too long and closes off-shore tax loopholes. And in order to restore fairness in our tax system, this budget increases the safe harbor for the reasonable compensation deduction by 25,000 dollars to 100,000 dollars, while also restoring the requirement that existed until two years ago that filers should be able to show a reasonable basis for that deduction – just as with every other tax deduction. This measure will restore our business tax base to the original estimates for Fiscal Year 2015. In addition to our General Fund challenges, we are also

facing significant funding issues with the Highway Fund, which supports the important efforts to maintain and plow our roads and bridges and keep our roads safe. While last year's bipartisan transportation plan is making critical investments in capital improvements, we cannot ignore the day-to-day efforts that keep our highways and bridges open and safe for the commuters, visitors and businesses that drive our economic growth. For nearly the last decade, the Highway Fund has been operating on one-time revenues and reserves. Those sources have run dry. If we take no further action, we will be left with the untenable choice of leaving our roads unplowed, cutting state police, or leaving our local communities with little or no state aid. I know that nobody in this room wants to jeopardize those priorities, so this budget increases vehicle registration fees, ensuring that we can fully address the challenges facing the Highway Fund and keep our roads safe. At the same time, we must also change the way we fund another critical state agency, the Fish and Game Department, in order to ensure that it remains solvent and can continue providing services to protect our fish, wildlife and marine resources, as well as search and rescue and other important law enforcement responsibilities. The study commission to improve the sustainability of the Fish and Game Department – which included legislators from both parties – recommended authorizing the Fish and Game Commission to set license fees, and that authority is included in this budget, along with the first increase in the boat access fee since 1993. If we want to maintain the Fish and Game Department that Granite Staters and tourists rely on, we must make the difficult decisions now on how to fund it, and that's exactly what this budget does. The revenue changes included in this budget will not diminish New Hampshire's standing as having one of the lowest tax burdens in the nation, and my commitment to veto a sales or income tax remains firm. We have a small, responsive state government that reflects the fiscal responsibility that our people are known for and that they demand. But the people of New Hampshire are also known for their common sense and their desire to solve problems. They understand that we can't just wish for a new generation of innovative economic growth while refusing to make responsible strategic investments to make it a reality. This budget increases investment in only a few key areas, recognizing that there is more that we would like to do, but cannot given the revenue challenges that we face. It begins to move us away from governing by crisis and litigation, to stability. The work that state government does must be done efficiently, thoughtfully and frugally, and we must never forget how important it is to the lives of our people. I would like to thank our dedicated department heads and business managers who helped develop this budget plan and all of our hard-working state employees, who continue to serve our citizens well and do more with less despite ever-tightening budgets. Our hard-working state employees and the critical services that they provide have a positive impact on the lives of New Hampshire's citizens each and every day. During the blizzard on January 27, one of our DOT workers was approached by a gentleman who asked if he worked for the Department of Transportation. The worker replied yes, only to find that this man simply wanted to say, "thank you." The man explained that his wife has breast cancer and needs to make regular trips from the Lakes Region to Dartmouth Hitchcock for treatment, no matter the weather. He added that because of the tireless efforts of our state's DOT workers to keep our roads clear and safe, his wife has always been able to get to the hospital for treatment, even during the harshest days of New Hampshire's winter. This story is just one example of how the daily functions of state government help ensure that our people can do the things they that want and need to do in their lives – whether it is keeping our roads safe, maintaining and promoting recreational opportunities, responding to the needs of the business community, or any of the other countless examples of how a state must work for its people and businesses. We must never lose sight of the real difference that dedicated public servants and the services that they provide make in the lives of our citizens. We must also never lose sight of our responsibility to our people or of how investing in the foundation of our innovation economy will reap real economic benefits for years to come. What we have done in this budget is make the strategic investments that we can afford to help make New Hampshire more efficient, more competitive and more successful economically. There are additional investments that we may want to make – lifting the moratorium on new school building aid and increasing the R&D tax credit, for example – but the revenue isn't there to responsibly do those things in this budget. As we work to finalize this budget together, it will as always require difficult choices and shared sacrifices. And it will require finding new approaches and building on the ideas and perspectives of Democrats, Republicans and Independents to reach new solutions. Over the last two years, we have proven that by working across party lines we can make significant progress. By investing in a strong workforce,

the health and safety of our communities, economic development and innovation in state government, we will strengthen what makes our state special and ensure that all of our people can share in our high quality of life. The budget I present to you today is a fiscally responsible, balanced budget. I stand ready to work with any member of either party who is willing to bring constructive, long-term ideas to the table so we can continue investing in critical priorities. Together, we can expand middle class opportunity, support job-creating businesses, encourage innovation and keep our economy moving in the right direction. Together, New Hampshire will thrive. Thank you.

Rep. Flanagan and Sen. Bradley moved that the Joint Convention arise.
Motion adopted.
The Joint Convention adjourned.

HOUSE SESSION

The Speaker reconvened the House session.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time.
Motion adopted.

RECESS MOTION

Rep. Chandler moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 2:20 p.m.

RECESS

(Speaker Jasper in the Chair)

REFERRAL DECLINED

Rep. Major, Chairman of the Committee on Ways and Means, under the provisions of House Rule 46 (f), declined the referral of **HB 344,** relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts.

RECESS

(Speaker Jasper in the Chair)

Rep. Flanagan moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 7

Wednesday, February 18, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Reverend Doctor Dawn Berry, Pastor and teacher at Brookside Congregational Church in Manchester.
O God, the morning is cold and the snow is deep. Some of us have worried about the economic impact of plowing and salting and roofs collapsing, while others of us put on skis and snowshoes and start up snowmobiles contributing to New Hampshire's tourism economy. Still others go someplace warmer and wait until the snow is gone. We have such different perceptions of snow. Here, in the New Hampshire House, 398 have gathered to work with the snow outside, each with his or her own perspective they contribute because diversity of ideas stimulates collective creativity. Yet, we confess that difference can also create conflict and the hardening of positions where overcoming is prized more than common ground. So today, O God, stir creativity. Open us up to possibility. In Your way move this body toward a common goal and common ground. Remind us of the trust that has been placed in this body to serve justly and with a generosity of compassion for the most vulnerable in our state. And, may all that is deliberated upon, decided, and voted be pleasing to You. Amen.

Representative Eric Eastman, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Kayleigh MacFarland, a 7th grade student at Merrimack Middle School.

LEAVES OF ABSENCE

Reps. Carson, Guthrie, Heath, Gladys Johnsen, Lundgren, Harold (Chip) Rice, Kris Roberts and Russell, the day, illness.
Reps. Adams, Avellani, Beaudoin, Bridge, Rick Christie, Friel, Froburg, Goulette, Hansberry, Parison, Silva, Sykes, Tucker and Gerald Ward, the day, important business.
Rep. Massimilla, the day, illness in the family.

INTRODUCTION OF GUESTS

Claudette Moynihan, wife of Rep. Moynihan. Nancy and Anne Lachance, Lorraine Tessier, Jeff Rapson, Gary Trahan and Sis Dunn, wife, mother, mother-in-law and guests of Rep. Lachance. Russell Norris, guest of Rep. James Belanger. Chris and Jamie MacFarland, parents of the singer, guest of Rep. Notter.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program, removed by Rep. Kurk.
HB 670-FN, relative to the rights of conscience for medical professionals, removed by Rep. Groen.
HB 352, relative to violations of constitutional rights, removed by Rep. Marple.
HB 397, relative to the duties of public servants, removed by Rep. Marple.
Consent Calendar adopted.

HB 159, repealing the committee to study the laws relating to condominium and homeowners' associations. **INEXPEDIENT TO LEGISLATE.**
Rep. Kermit R. Williams for Commerce and Consumer Affairs. This bill would repeal the committee to study the laws relating to condominium and homeowners' associations. The members of the Committee felt that there is more work for that committee to do, and thought it should continue. There are 10 other bills related to condominiums currently under consideration, and work on homeowners' association law has not yet taken place. Vote 17-0.

HB 170, relative to the advisory committee on international trade. **OUGHT TO PASS.**
Rep. Pamela Z. Tucker for Commerce and Consumer Affairs. The purpose of the bill is to update the language in the advisory committee on international trade. The committee was established years

ago to promote international trade for New Hampshire. The committee membership had not been updated in over ten years and was lacking some needed additions and deletions. Language was added to include a broader spectrum, including representatives of New Hampshire's federal delegation; the duration of the appointments and language regarding meetings. Vote 19-0.

HB 587-FN, repealing the registration fee for sexual offenders and offenders against children. **INEXPEDIENT TO LEGISLATE.**
Rep. Dick Marston for Criminal Justice and Public Safety. The bill as introduced would have repealed the annual $50 registration fee. There is a provision in the law that would currently allow the fee to be waived if the offender was unable to afford it. The committee determined that repealing the fee would have resulted in virtually eliminating the registry, which would be a disservice to the citizens of NH. Vote 13-0.

HB 221-FN, relative to the granting of 4-year baccalaureate degrees by the community college system of New Hampshire. **INEXPEDIENT TO LEGISLATE.**
Rep. James L. Grenier for Education. This bill would allow community colleges to offer 4-year baccalaureate degrees. Presently, the NH Community College System works with the University System of New Hampshire to provide a transition from two-year degrees to four-year degrees. In one program, three years of instruction are at the community college level with the fourth year in the University System. Testimony from representatives of both the Community College System and the University System indicated their collaborative efforts are working well and this bill is not needed. It was pointed out that there is no statutory limitation regarding a community college offering a four-year degree. Vote 19-0.

HB 577-FN-A-L, establishing a children's savings account program. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Mary Stuart Gile for Education. This bill, as amended, proposes a commission to establish a NH children's Savings account program. The bill is a request of a committee established in 2014 to study the feasibility of funding a kindergarten to college/career program and universal college savings account. In addition to creating the commission, HB 577 proposes two pilots and originally included an appropriation request. The majority of the education committee supported the concept of a NH children's savings account program, but were concerned that the request for funds could be a problem. The amendment removes the section of HB 577 requesting an appropriation. Vote 18-2.

Amendment (0309h)
Amend the bill by deleting section 3 and renumbering the original section 4 to read as 3.

AMENDED ANALYSIS

This bill establishes the children's savings account program, including a commission and fund, for the purpose of establishing children's savings accounts for children attending public kindergarten.

This bill is a request of the committee to study the feasibility of funding a kindergarten to college/career ready program and a universal college savings account established in 2014, 122.
Referred to the Committee on Finance.

CACR 11, relating to voting at elections. Providing that the general court may authorize all voters to choose to vote by absentee ballot. **INEXPEDIENT TO LEGISLATE.**
Rep. Duane R. Brown for Election Law. Current law allows voting by absentee ballot for reasons of absence, religious observance and disability. This constitutional amendment would eliminate restrictions and allow all voters to vote by absentee ballot. The committee feels that this issue is best dealt with by other legislation that addresses RSA 657:1-657:10-b and not a constitutional amendment. Vote 16-0.

HB 179, relative to placement of political advertising. **INEXPEDIENT TO LEGISLATE.**
Rep. Kathleen F. Souza for Election Law. This bill would have allowed more political signage outside the polling places, specifically unattended signs currently not allowed. These signs would be allowed only on election day or the day prior. Although the bill called for removal by the Friday following the election, the committee felt that the likelihood was great that this bill would only add to the clutter and disposal problems some polling areas experience already. Another bill regarding political signage is currently before the committee. Vote 18-0.

HB 320, relative to removal of certain campaign materials at the polling place. **INEXPEDIENT TO LEGISLATE.**
Rep. William M. Gannon for Election Law. The committee believes that the bill gives too much discretion to the moderator in deciding what is vulgar, sexual or disturbing and would impinge on the constitutional privilege of free speech. The committee believes that the powers that this bill would grant a moderator would be overly broad and fail a court examination for vagueness. Vote 17-0.

HB 340, relative to appointing undeclared voters as inspectors of election. **INEXPEDIENT TO LEGISLATE.**
Rep. Joe Sweeney for Election Law. Current law requires inspectors of election to be appointed by the two political parties, which cast the largest number of votes for governor in the previous state general election. This bill would allow the appointment of undeclared voters as inspectors of election when a sufficient number of inspectors were not identified by the parties. After consideration of this bill and other bills addressing this issue, the committee has decided to support HB 140 and not this bill. Vote 18-0.

HB 355, relative to pre-election tests of ballot counting devices. **INEXPEDIENT TO LEGISLATE.**
Rep. Edith A. Hogan for Election Law. Current law requires ballot counting devices to be tested by the Wednesday immediately prior to the election. This bill would modify the law to require testing to be conducted two weeks prior to the election. The secretary of state makes every effort to get ballots to the cities and towns in a timely manner to provide time for election officials to conduct pre-election tests. Changing this requirement imposes an unnecessary constraint on the process. Therefore, the committee unanimously agreed that HB 355 should be Inexpedient to Legislate. Vote 18-0.

HB 493, relative to minimum voting booths for city or town elections. **OUGHT TO PASS.**
Rep. Rick G. Christie for Election Law. This bill amends RSA 658:9, VI (b(3) and establishes separate minimum voting booth requirements for city and town elections. This change would authorize one voting booth for every 200 voters on the checklist during city and town elections only, where voter turnout is historically much lower. Currently the requirements are, when voting for president not less than one booth for every 125 voters. When not voting for president it shall be one booth for every 125 voters. For all other elections including the state primary, it shall be one booth for every 150 voters on the checklist. After reviewing the information at the public hearing, the committee believes that reducing the requirement to one booth per 200 voters will not increase wait time for voters and expedite set-up and break down of polling places. Vote 16-0.

HB 502, relative to petitions for verification of checklists. **OUGHT TO PASS.**
Rep. Barbara J. Griffin for Election Law. This bill extends the time period for local officials and the ballot law commission to conduct verification of the checklist of the town or ward. The time period is extended from 5 weeks to 8 weeks. No other deadlines in the process are affected. Vote 16-0.

HB 503, relative to presidential primary ballots. **OUGHT TO PASS.**
Rep. William M. Gannon for Election Law. The committee believes that the great state of New Hampshire, the granite state, the state of "I paid for this microphone," the state of the "Comeback Kid," should be recognized for our historic role in the nation's presidential primary. This bill authorizes the secretary of state to print a heading on the presidential primary ballot commemorating the 100th anniversary of the first in the nation presidential primary. The rest of HB 503 requires candidate names to be listed on the presidential primary ballot using the same procedure as other New Hampshire ballots. Vote 16-0.

HB 529, relative to party conventions. **OUGHT TO PASS.**
Rep. Robert A. Luther for Election Law. Current law prohibits filling a vacancy in the office of delegate to a state party convention and requires that conventions be called between specified dates. The law does not allow the chair of the state committee to call the state party convention at his will. This bill will change both the ability to fill delegate vacancies and allow the state party chairman to call a convention without a date restriction. The committee believes that both changes are important to the functioning of political parties. Vote 16-0.

HB 545, relative to eligibility for office. **OUGHT TO PASS.**
Rep. James P. Gray for Election Law. The declaration of candidacy contained in RSA 655:17 lists several restrictions that would render a person ineligible to be a candidate for office. These restrictions include incompatible offices and being a federal employee. This bill would add a reference to the RSA 607-A:2 to identify that persons who have been convicted of a felony must have completed their sentence to be eligible for office. Vote 16-0.

HB 146, relative to the board of dental examiners. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This housekeeping bill, brought at the request of the board of dental examiners, codifies several changes already implemented in state government to provide greater efficiencies or to align the board with national standards, where the statute reflects previous arrangements now superseded. Vote 15-0.

Amendment (0062h)
Amend the bill by replacing sections 1 and 2 with the following:
1 Dentists; Applications for Licensure. Amend RSA 317-A:8, I to read as follows:
I. Applications for licensure shall be made to the board in writing and shall be accompanied by a fee established in rules adopted under RSA 541-A by the board and by satisfactory proof that the applicant is a graduate of a school that is recognized by the [~~American Dental Association Commission of Accreditation of Dental and Dental Auxiliary Educational Programs~~] ***Commission on Dental Accreditation (CODA)***. The applicant shall be of good professional character and 18 years of age or older.
2 Repeal. The following are repealed:
I. RSA 317-A:4, I(g), relative to request of director of dental health to serve as executive director.
II. RSA 317-A:36, relative to the location of the board office.

HB 364, relative to renewal fees administered by the office of professional licensing. **OUGHT TO PASS.**
Rep. Jeffrey S. Shackett for Executive Departments and Administration. This bill authorizes the office of professional licensing to establish a biennial license due June 30th for all boards and committees. This will expedite the licensing process and help the office of professional licensing move to an online renewal system, thus saving money and time for both the administration and licensees. Vote 15-0.

HB 468-FN, requiring a warrant to obtain electronic device location information. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Steven P. Beaudoin for Executive Departments and Administration. This legislation, as amended, is crafted to protect citizens from being tracked and/or located by government using electronic devices such as a cell phone or GPS locator without a warrant. Exceptions are made in cases of emergencies for situations involving imminent death or injury such as a 911 hang up call. In situations where a GPS locator is used by private companies, such as a rental car, the customer must be made aware of the device beforehand and the information gathered may only be shared with government by warrant. Concerns that this bill would prohibit the use of locators when dealing with circumstances involving parolees, patients with dementia, or cases where their use involves government or industry tracking of vehicle locations has been addressed in the amendment. Vote 11-1.

Amendment (0349h)
Amend the bill by replacing all after the enacting clause with the following:
1 New Chapter; Electronic Device Location Information. Amend RSA by inserting after chapter 644 the following new chapter:

CHAPTER 644-A
ELECTRONIC DEVICE LOCATION INFORMATION

644-A:1 Definitions. In this chapter:
I. "Electronic communication service" means a service that provides users the ability to send or receive wire or electronic communications.
II. "Electronic device" means a device that enables access to or use of an electronic communication service, remote computing service, or location information service, including without limitation a cellular telephone.

III. "Government entity" means a federal, state, or local agency, including but not limited to a law enforcement agency or any other investigative entity, department, division, bureau, board, or commission, or an individual acting or purporting to act for or on behalf of a federal, state, or local agency. "Government entity" shall not apply to a federal government agency to the extent that federal statute preempts such application.

IV. "Location information" means information concerning the location of an electronic device, including both the current location and any prior location of the device that, in whole or in part, is generated, derived from, or obtained by the operation of an electronic device.

V. "Location information service" means a global positioning service or other mapping or directional information service.

VI. "Owner" means the individual or person having the legal title, claim, or right to an electronic device.

VII. "Person" means a corporation, trust, estate, partnership, limited liability company, association, firm, or any other legal entity.

VIII. "Remote computing service" means computer storage or processing services provided by means of an electronic communication service.

IX. "User" means an individual, person, or government entity that uses an electronic device.

644-A:2 Warrant Required for Acquisition of Location Information.

I. Except as provided in this chapter, a government entity shall not obtain location information from an electronic device without a warrant issued by a judge based on probable cause and on a case-by-case basis.

II. No government entity shall place, locate, or install an electronic device on the person or property of another, or obtain location information from such an electronic device, without a warrant issued by a judge based on probable cause and on a case-by-case basis.

644-A:3 Exceptions to Warrant Requirement. A government entity may obtain the location information without a warrant:

I. To respond to a call for emergency services, including a request from an E-911 supervisor to an electronic communication service to determine the location of a cellular telephone when the supervisor informs the services that the information is required pursuant to an emergency involving actual or potential death, serious physical injury or major damage to property and the information is needed without delay. Such a request shall not create a cause of action against the E-911 system or employee or the electronic communication service or its employees;

II. With the informed consent of the owner or user of the electronic device concerned, except when the device is known or believed by the owner or user to be in the lawful possession of a third party known to the owner or user;

III. With the informed consent of the parent or foster parent of a minor who is the owner or user, or the legal guardian or next of kin of the owner or user, if the owner or user is believed to be deceased or reported missing and unable to be contacted;

IV. If the government entity reasonably believes that an emergency involving immediate danger of death or serious physical injury to a person requires the disclosure, without delay, of location information concerning a specific person and that a warrant cannot be obtained in time to prevent the identified danger, and the possessor of the location information, in good faith, believes that an emergency involving danger of death or serious physical injury to a person requires the disclosure without delay;

V. Pursuant to a legally-recognized exception to the warrant requirement;

VI. If the government entity is the owner of the electronic device and has issued it to an employee or it is attached to property owned by the government entity; or

VII. If an alcohol ignition interlock device has been installed in a motor vehicle in compliance with an order issued by a court or the commissioner of the department of safety.

644-A:4 Conditions of Use of Location Information. No individual or person shall, without consent, place, locate, or install an electronic device on the person or property of another and obtain location information from such electronic device. No such consent shall be required by the parent, foster parent, or legal guardian of a minor, or by the legal guardian for the subject of his or her guardianship, or for persons under house arrest or probation or parole supervision who are issued ankle bracelets.

644-A:5 Action Against a Corporation. This chapter shall not be construed to create a cause of action against a corporation or its officers, employees, or agents for providing location information to a government entity in accordance with the provisions of this chapter.

644-A:6 Penalties.

I. A government entity that purposely violates this chapter shall be guilty of a class B misdemeanor.

II. An individual or person who is injured as a result of a violation of this chapter may file a civil action against a government entity, individual, or person that fails to comply with the provisions of this chapter.

2 Effective Date. This act shall take effect July 1, 2015.

Referred to the Committee on Criminal Justice and Public Safety.

HB 645-FN, relative to the licensure and regulation of child day care agencies. **OUGHT TO PASS.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill, Willa's Law, corrects an oversight in RSA 170-E:4, II, Child Day Care Agencies; License Required; Prohibition Against Child Endangerment. Currently the law prohibits endangering the health, safety or welfare of a child in the care of a licensed child day care agency or a facility exempted from licensure pursuant to RSA 170-E:3, I. However, the law makes no provision for an unlicensed child day care agency such as the one the committee heard about that should otherwise have been licensed but had allowed its license to lapse. This was, indeed, the case for a constituent of the prime sponsor of the bill whose daughter tragically died while in the care of an unlicensed child care agency. As a consequence of that facility having allowed its license to lapse, it could not be held to the same standards of negligent violation of a duty of care or protection that those with a license or those exempted from license are held. The bill also corrects for a similar oversight relative to insurance disclosures and sets penalties for operating without a license. The committee unanimously agreed this oversight should be rectified and recommends OTP on this bill. Vote 16-0.

Referred to the Committee on Criminal Justice and Public Safety.

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James A. Spillane for Fish and Game and Marine Resources. The committee addressed some issues with open-ended language with this amended bill. Capping the amount of acreage closed at any time to 50 acres and permitting the closure time to not more than five years. A required public hearing and language to limit interference with commercial or recreational use complete the bill by allowing restoration without impacting commerce or sportsmen. The committee worked hard at resolving all issues and with these charges it is a very solid bill. Vote 13-0.

Amendment (0368h)

Amend RSA 211:63-b as inserted by section 1 of the bill by replacing it with the following:

211:63-b Closing for Restoration. The executive director, after a public hearing, may order a closing of clam, oyster, and other bivalve areas for the purpose of restoration of the area, provided that the closure will not unduly interfere with existing or anticipated commercial or recreational activities. When such closing for restoration is ordered, the order shall be effective immediately without a waiting period and shall continue in effect for a period of not more than 5 years. No more than 50 acres shall be closed at any time.

AMENDED ANALYSIS

This bill allows the executive director of fish and game, after a hearing, to close a clam, oyster, or other bivalve area for the purpose of restoration of the area for a period of not more than 5 years.

Referred to the Committee on Finance.

HB 104, prohibiting placement at the Sununu Youth Services Center under the child protection act. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Emerson for Health, Human Services. This bill intended to prohibit placement at the Sununu Youth Services Center under the Child Protection Act. Upon review of the incident which stimulated the bill, it was determined that legislation is already in place to prevent such placement. Vote 15-0.

HB 188, allowing the department of health and human services to share certain Medicaid enhancement tax information with the Centers for Medicare and Medicaid Services. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. The committee found HB 188 unnecessary because the problem has been resolved by the settlement made between the department of

health and human services and the hospitals prior to the bill being heard in committee. The determination was made not to proceed with the bill, but rather to allow the settlement a chance to become effective. If the settlement does not prove to be effective, all parties have committed to revisit the issue. Vote 15-0.

HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill significantly increases the availability and the likelihood of life saving administration of Narcan. Opiod-related overdose is a well described public health problem that affects all segments of society. Having Narcan available can minimize the morbidity and mortality associated with such overdoses. The committee feels the benefits of having Narcan available far outweigh any risks. Vote 15-0.

Amendment (0112h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

HB 671-FN-A, establishing a state mental health first aid program and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs. This legislation recognizes the importance of training and application of mental health first aid. Mental health first aid deals with risk factors and warning signs of mental health issues; information on depression, anxiety, trauma, psychosis and substance use and serves to reduce the stigma of mental illness. It is an evidence based program. The goal is to assist individuals who are having emotional distress. The training is designed to help anyone who wants to learn to help those in need of assistance. This legislation also provides a $1 appropriation to provide a mechanism to accept grant money and donations. Vote 18-0.

Amendment (0354h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to mental health first aid training and making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose.

I. The general court recognizes the emergence of mental health first aid and the increasing role it plays nationally in educating and empowering community leaders, health care education and safety officials, and others who may deal with mental health crises on the local level. New Hampshire has already established itself as a leader in this movement by holding the first statewide mental health first aid training program in 2014.

II. It is the intent of the general court to support and encourage mental health first aid training programs through state, county, and local public-private partnerships, using the curriculum and format prescribed by the National Council on Behavioral Health. Therefore, the general court hereby establishes a line item in the state budget to accept financial support for such programs.

2 State Operating Budget for the Fiscal Year Ending June 30, 2017. There is hereby established a line item in the state operating budget ending June 30, 2017 to accept grants, federal funds, and other financial support for the mental health first aid training programs described in section 1 of this act.

3 Appropriation; Mental Health First Aid Program. The sum of $1 for the biennium ending June 30, 2017 is hereby appropriated to the department of health and human services for the purposes of section 2 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

4 Effective Date. This act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill establishes a line item in the state budget for the purpose of accepting financial support for establishing mental health first aid training programs. The bill makes an appropriation for the purposes of the bill.

Referred to the Committee on Finance.

HB 687-FN-L, relative to eligibility for Medicaid. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The bill requires the department to contract with a vendor to conduct data matches to verify eligibility for medical assistance.

Similar legislation was passed in 2012, HB 1658, and the expected savings did not materialize. New technology is available which makes the process more efficient and hiring a vendor to verify is an unnecessary expense. The committee vote was unanimous. Vote 15-0.

HB 398-FN, relative to the acceptance of documents notarized by a justice of the peace. **INEXPEDIENT TO LEGISLATE.**
Rep. Claire A. Rouillard for Judiciary. This bill seeks to establish a criminal penalty if a financial or other entity does not accept the signature of a justice of the peace without a seal. New Hampshire does not require a seal for justices of the peace as provided in New Hampshire RSA 455-A: 3. This committee unanimously believes the criminal penalty is unwarranted and unnecessary. Vote 15-0.

HB 509, relative to jury tampering by magistrates. **INEXPEDIENT TO LEGISLATE.**
Rep. David Woodbury for Judiciary. This bill seeks to prevent a judge from communication with a jury with the intent of imposing his or her will and influence on a juror's decision. The penalty for this conduct is un-appealable removal from office, loss of benefits and exclusion for ten (10) years from any public office. This bill, if enacted, would strip a judge of virtually all ability to conduct the trial or to instruct the jury. The penalty is truly draconian and would work real harm if enacted. Vote 17-0.

HR 7, directing the house of representatives to investigate whether grounds exist to impeach Judge Jacalyn Colburn for her decision in City of Nashua v. William M. Gardner, Secretary of State. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert H. Rowe for Judiciary. This resolution is the first step in an impeachment action. It is a resolution directed to the House to approve, give funds and powers to the Judiciary Committee to investigate to action of superior court judge Jaclyn Colburn for her decision in the case of the City of Nashua v. William A. Gardner, our Secretary of State. The case involved a ballot issue in the Superior Court with the hearing occurring on September 23, 2014. The Judiciary Committee members voted that the resolution is inappropriate for two reasons. First, the matter is currently under appeal to the supreme court, and we should delay until the court rules on the lower court decision; was the lower court judge's decision correct or not? Second, impeachment is the most extreme of measures to be used for the removal of an office in New Hampshire government. Under Part II, Article 38 it can only be utilized for the most severe conduct of an officer, namely bribery, corruption, malpractice or maladministration. Nonetheless, this suit brings forth an election ballot matter that must be addressed before the November 2016 election. The secretary of state is charged with the preparation of ballots for the state and supplying the ballots to the communities expeditiously. Under normal circumstances, the secretary of state and his staff are under extreme pressure to print and distribute the ballots to the appropriate communities on time. The problem is that the timing between the primary and the general election is short. If there is a primary election dispute, the time is severely compressed. By federal law the ballots must be printed and in the hands of our overseas military citizens 45 days before the November election. Add to this, state law provides ten (10) days for a primary election to be contested. Then there is the time necessary for the recount. This may allow a day or less to print and distribute ballot. A lawsuit between the primary election and the November election can and will disrupt the election process. In this matter, the Superior court suit was heard on September 23, 2014. The Judiciary Committee urges that action be taken to insure adequate time is provided to meet ballot deadlines. One suggestion is that the judicial branch have one judge assigned for election matters such as is done with business disputes. Vote 17-0.

HR 9, to express support for the federal return of public lands to the western states, and to urge the United States Congress to engage in good faith communication and cooperation to coordinate the return of title to the western states. **INEXPEDIENT TO LEGISLATE.**
Rep. Jack B. Flanagan for Legislative Administration. While this resolution may have merit, the committee felt that the impacted states and the federal government should work out any detail dealing with this issue. Furthermore, the committee felt that the state of New Hampshire had no stand in the issue. Vote 8-0.

HB 235, relative to obstruction of traffic on certain highways. **INEXPEDIENT TO LEGISLATE.**
Rep. Ken S. Peterson for Municipal and County Government. This bill as proposed would require a motor vehicle driver that is impeding the normal reasonable movement of traffic on a 2-lane class II highway to pull the motor vehicle off the road when there were five or more vehicles immediately following the motor vehicle and let the following vehicles pass. This is a "feel good" proposal that

has numerous flaws in its attempt to regulate courtesy. What is normal reasonable movement of traffic? How would a driver count the vehicles behind if the first vehicle following was a truck of some size? How much driver inattention would occur when trying to count the vehicles behind? How would this law be enforced? If the driver is doing the speed limit and five cars still stack up behind, would there be a requirement to pull over? Although well intentioned, this bill, if enacted, besides being difficult (at best) to enforce would very likely be ignored by the same drivers who don't stop at a stop sign, don't stop for a red light, and don't yield at a yield sign. Vote 13-0.

HB 341, relative to eligibility in a municipality for the property tax for the disabled. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Municipal and County Government. This enabling legislation would allow a town or city to require that an applicant for the disabled property tax exemption be a resident of the town or city for 5 years rather than a state resident for 5 years. A disabled person receiving the exemption in one town could move to another and have to start the five-year period all over again. As amended by amendment 2015-0128h it would grandfather anyone receiving this exemption in another community that was moving in but if the first community had no time limit and the disabled person had been receiving the exemption for three years, they would have a two-year waiting period to become eligible in the second community. The committee felt this may cause disabled people to lose an already earned benefit and to start "community shopping" to move. This legislation could be deemed to be discriminatory by a court of law. Vote 18-0.

HB 368, relative to third party review required by the planning board. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan C. DeLemus for Municipal and County Government. This bill puts the planning board in a position to be the sole selector of professional engineers and does not allow the applicant to submit names for consideration. Although the intent is good, this may disenfranchise the applicant by not allowing them to use a perfectly acceptable alternative. Although the bill provides for an alternate method of selection, that has to be done by mutual agreement; which may not happen. The planning board could eliminate a professional engineering company just because they don't like them even though they are very qualified. Vote 17-0.

HB 464, establishing the fishing family protection act, prohibiting political subdivisions from interfering with commercial and recreational operations of fishing families. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Bickford for Municipal and County Government. This bill offers commercial and recreational fishing operations some relief from local government zoning and nuisance ordinances, which may unreasonably curtail their operation. The committee felt fishing should be given similar consideration as agriculture and farming, especially in seacoast communities. The amendment simply clarified the term "fishing family" in the original bill by replacing that term with other language. Vote 17-0.

Amendment (0280h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing the traditional commercial and recreational fishing protection act, prohibiting political subdivisions from interfering with commercial and recreational operations.

Amend the bill by replacing sections 1 and 2 with the following:

1 Legislative Findings and Purpose. The general court finds that traditional commercial and recreational fishing conducted by fishers and fishing families are an important activity with historical significance to the state and the region. The continuation of these commercial and recreational fishing operations benefit the health and welfare of the state. The general court further finds that commercial and recreational fishing operations conducted in developing and urbanizing areas are potentially subject to curtailment as a result of local government zoning and nuisance ordinances which may unreasonably burden or force the closure of productive commercial and recreational fishing operations. In accordance with the purposes outlined in RSA 672:1, III-f, it is the purpose of this act to prevent the curtailment or abolishment of commercial and recreational fishing operations solely because the area in which they are located has changed in character or the operations are displeasing to neighboring residents.

2 New Subdivision; Traditional Commercial and Recreational Fishing Protection Act. Amend RSA 674 by inserting after section 66 the following new subdivision:

Traditional Commercial and Recreational Fishing Protection Act

674:67 Definition. In this subdivision:

I. "Commercial fishing operation" means any type of activity conducted on land, requiring the location or storage of commercial fishing equipment such as fishing vessels, fishing gear, docks, piers, loading areas, landing areas, and cold storage facilities, including any activity necessary to prepare finfish or shellfish for refrigeration, conducted by any person licensed to take, possess, land or transport, on the waters of New Hampshire, any marine specials by any method for the purpose of sale. Commercial fishing operation shall not include operations with the sole or primary function of processing seafood.

II. "Recreational fishing operation" means a party or charter boat that takes paying passengers for recreational fishing in coastal waters.

674:68 Protection of Commercial and Recreational Fishing Operations. No commercial or recreational fishing operation shall be declared a public or private nuisance solely because of a change in ownership or a change in the character of the property in or around the locality of the operation.

674:69 Local Ordinances Prohibited. No local legislative body shall adopt any ordinance that declares any commercial or recreational fishing operation to be a nuisance solely because it is a commercial or recreational fishing operation, or any zoning ordinance that unreasonably burdens or forces the closure of any commercial or recreational fishing operation or does not recognize fishing as a home occupation. Nothing in this subdivision shall prevent a local government from regulating commercial and recreational fishing operations, including by requiring the use of methods, structures, or appliances where such use will prevent, ameliorate, or remove conditions which create or may create a nuisance.

674:70 Construction of Subdivision. This subdivision shall not be construed to permit an existing commercial or recreational fishing operation to change to a larger operation with regard to emitting more noise or odor, where such change violates local ordinances or regulations or creates a nuisance.

AMENDED ANALYSIS

This bill establishes the commercial and recreational fishing protection act, which prohibits local governments from adopting ordinances declaring commercial or recreational fishing operations to be nuisances or which unreasonably burden or force the closure of such operations.

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and requiring payment of the land use change tax when land is taken by eminent domain to build energy infrastructure. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Benjamin L. Tilton for Municipal and County Government. This bill as amended in 2015-0323h was introduced to correct two problems specific to eminent domain and utilities. The first: high pressure gas pipeline was not specified in existing RSA 371:5-A. The second: the taking of property may trigger land use change tax on land under current use. This bill includes the high pressure gas pipeline language within RSA 371:5-A. This bill also prevents an additional tax burden to the original property owner caused by the party taking property by eminent domain. The committee agreed. Vote 15-1.

Amendment (0323h)

Amend the bill by replacing all after the enacting clause with the following:

1 Eminent Domain; Residential Owner Option. Amend RSA 371:5-a, I to read as follows:

I. When private real property which is used for residential purposes is proposed to be acquired in part for the construction of an above ground substation, ***high pressure gas pipeline,*** or transmission line, the owners of the residential property shall have the option to require the [~~utility~~] ***taker*** to condemn and take in fee the entire tract of land impacted by the proposed partial taking including all buildings and improvements thereon if all owners, excluding lien holders and mortgagees, of the private real property make such an election and provide the commission and the utility with written notice of their election within 30 days after receipt of the notice under RSA 371:4. If the utility acquires the entire tract of land with buildings and improvements thereon pursuant to this section or by agreement with the owners, the entire acquisition shall be deemed to be an acquisition for a public purpose and for use in the utility's business.

2 New Subparagraph; Land Use Change Tax. Amend RSA 79-A:7, IV by inserting after subparagraph (c) the following new subparagraph:

(d) Land is taken under eminent domain to build energy infrastructure which will result in revenue for the public utility. Notwithstanding subparagraph VI(a), the taker shall pay the land use change tax on all land that no longer qualifies for current use assessment.

3 Effective Date. This act shall take effect June 1, 2015.
Referred to the Committee on Ways and Means.

HB 639-FN-L, repealing the resident tax, relative to tax collection under RSA 80, and establishing a legislative commissioner to revise RSA 80 governing the collection and enforcement of taxes. **INEXPEDIENT TO LEGISLATE.**
Rep. Keith Ammon for Municipal and County Government. This bill would repeal sections in several RSAs (72, 73, 76, 80, 261) related to the "resident tax." It would also establish a legislative commission to revise RSA 80 concerning the collection and enforcement of taxes. The committee felt that the bill is at cross purposes with itself. For instance, if a commission is needed to revise RSA 80, why revise it before the commission has had a chance to deliberate and produce recommendations? Vote 16-0.

HB 329, relative to a construction project at the state veterans cemetery. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Franklin T. Tilton for Public Works and Highways. This bill allows the New Hampshire Veterans Cemetery Association, a private 501(c)(3)organization, which receives and manages donations to the New Hampshire Veterans Cemetery, to design and construct an addition to the Administration Building at the NH Veterans Cemetery. This will be a multi-purpose room that would not likely ever obtain funding from the Federal VA or the NH State Capital Budget. Because this is a private organization constructing and donating to the State, the amendment, carefully crafted by the Adjutant General, the bureau of public works, and the NH Veterans Cemetery Association, will ensure proper oversight of the project by the Capital Budget Overview committee and the bureau of public works. This is an example of the benefits realized through NH Veterans organizations and private contributors to make the New Hampshire Veterans Cemetery the best in the nation. Vote 17-0.

Amendment (0304h)

Amend the bill by replacing all after the enacting clause with the following:

1 Design and Construction of Addition at State Veterans Cemetery; Exemption. The New Hampshire State Veterans Cemetery Association, subject to the approval of the capital budget overview committee established in RSA 17-J, shall have the authority to design and construct an addition to the administration building at the state veterans cemetery.

2 Project Oversight. The New Hampshire State Veterans Cemetery Association shall utilize a licensed independent architect or professional engineer to oversee the design and construction of this addition. The architect or professional engineer shall be selected by mutual agreement by the department of administrative services, division of public works design and construction, and the New Hampshire State Veterans Cemetery Association. The department of administrative services, division of public works design and construction shall provide oversight of the design and construction of the building addition. The division of public works design and construction shall represent the adjutant general and the state in order to assure compliance of the plans and specifications for the project with accepted state standards for building design and construction. The building shall not be deemed completed until certified by the division of public works design and construction that the addition has been constructed in accordance with the above standards. The New Hampshire State Veterans Cemetery Association shall reimburse the division of public works design and construction for its design and construction oversight services at a cost not to exceed 4 percent of the project cost.

3 Exemptions. For the purposes of the planning and construction of this addition, the New Hampshire State Veterans Cemetery Association and the adjutant general shall be exempt from the requirements of RSA 9, RSA 14:30-a, VI, RSA 17-M, RSA 21-I:78-86, and RSA 110-B.

4 Effective Date. This act shall take effect upon its passage.
Referred to the Committee on Finance.

HB 384, establishing a committee to study the feasibility of privatizing the New Hampshire toll system. **INEXPEDIENT TO LEGISLATE.**
Rep. Gene G. Chandler for Public Works and Highways. The committee unanimously agreed that another study committee was not necessary since our toll road system is in excellent shape financially, and virtually all of the system's red listed bridges have been eliminated. Over 70% of the $120+ million in toll revenue is derived from out of state drivers. Some states that have tried privatization have had problems, and the risk reward ratio does not seem to be in the best interests of NH's turnpike system. Vote 16-0.

HB 274, relative to the sovereignty of the state. **INEXPEDIENT TO LEGISLATE.**
Rep. Eric R. Eastman for State-Federal Relations and Veterans Affairs. This bill would permit any (unspecified) state official to identify, indict and eject from office any other public servant for transgressions against the "state's sovereignty," as per Part I, Art. 7 of the New Hampshire Constitution. The argument in favor supports an established protocol to impose consequences if a public servant's performance runs afoul of their constitutional permissions, yet opponents raise concerns that there is no provision for redress or appeal on the part of the accused. Vote 11-1.

HB 260, relative to the definition of antique motor vehicle or motorcycle. **OUGHT TO PASS.**
Rep. Thomas C. Walsh for Transportation. This bill amends the definition of antique motor vehicle to include antique trucks, regardless of weight, so long as they are not used in commerce. They will be issued antique registrations and plates and follow the same guidelines as other antique vehicles. The department of safety also supports this change. Vote 17-0.

HB 357, relative to notice of change of name or address on a driver's license. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Alan Cohen for Transportation. This bill extends the time allowed for change of name or address on drivers' licenses to eliminate hardships associated with the current short window. The committee amendment is the result of working with DMV. Vote 19-0.

Amendment (0268h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to notice of change of name or address on a driver's license and on the registration of a vehicle.

Amend the bill by replacing all after the enacting clause with the following:

1 Notice of Change of Licensee's Name or Address. Amend RSA 263:9 to read as follows:

263:9 Notice of Change of Licensee's Name or Address. Whenever any person who has been duly licensed to drive a motor vehicle within this state shall change his legal name or his permanent residence he shall notify the director in writing of such change within [~~10~~] ***30*** days.

2 Notice of Change of Licensee's Name or Address. Amend RSA 261:55 to read as follows:

261:55 Change of Address or Name.

I. Whenever any person after making application for or obtaining the registration of a vehicle shall move from the address named in the application or shown on a registration certificate or certificate of title, such person shall within [~~10~~] ***30*** days thereafter notify the division in writing of his old and new address.

II. Whenever the name of any person who has made application for or obtained the registration of a vehicle is thereafter changed by marriage or otherwise, such person shall within [~~10~~] ***30*** days notify the division of such former and new name.

3 Effective Date. This act shall take effect January 1, 2016.

Referred to the Committee on Finance.

HB 395-FN, relative to electronic toll collection. **OUGHT TO PASS.**
Rep. Steven D. Smith for Transportation. This bill clarifies whom the responsible party is when tolls are owed, and a court order assigns exclusive use of a vehicle to a party other than the first named owner on the vehicle title or registration. Vote 13-0.

HB 414-FN, relative to idling by commuter rail locomotives. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael B. O'Brien for Transportation. This bill was presented on behalf of a community that may have a future issue with commuter rail locomotives idling. Currently the situation does not exist and if in the future it does, local control may be the better option. The committee recommends ITL. Vote 17-0.

HB 319, establishing a committee to study effects of making changes to certain New Hampshire tax laws. **INEXPEDIENT TO LEGISLATE.**
Rep. Joseph R. Lachance for Ways and Means. This bill would establish a study committee to study the effects of making certain changes to New Hampshire taxes. HB 319 would also establish a tax credit for venture capital companies, reduces the rate of the business profits tax and the business enterprise tax by 100 basis points per year, provides for a sunset provision, and adopts a gross receipts tax. The committee heard testimony from the bill's sponsor regarding business taxes in New Hampshire. However, the sponsor stated this bill may not be the best way to achieve the intended goal and requested we ITL the bill. The committee agreed. Vote 19-0.

REGULAR CALENDAR

HB 230, relative to penalties for failure to timely discharge a mortgage. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth N. Gidge for the Majority of Commerce and Consumer Affairs. Current state law requires that when a mortgage is paid off, the lender, typically a bank, must discharge that mortgage within 60 days of final payment or is subject to a violation. This bill increases the fine to $2500 if the mortgagor fails to properly record the discharge at the registry of deeds. NH already allows a much longer discharge period than most states and all of our neighboring states have prescribed a fine for failing to discharge a mortgage. So there really is no reason for lenders to not discharge the mortgage. Property owners can experience a delayed or cancelled transaction when it is discovered that the lender failed to properly record the discharge. This is a real issue which is disrupting a segment of the housing industry and while some felt this bill did not go far enough, the bipartisan majority felt it was a reasonable first step. Vote 12-7.

Rep. Kermit R. Williams for the Minority of Commerce and Consumer Affairs. The minority agrees with the bill's authors that issues exist with the timely discharge of mortgages, but we believe that this bill does not provide a solution to those issues. The bill only increases the fine for a state law that is often not enforced, and provides no mechanism for more effective enforcement. The bill also provides no assistance for the timely discharge of other liens, such as mechanics' liens, which often go undischarged after they are paid. Passing this bill will send the wrong message to the public that the legislature has addressed this problem.

Majority committee report adopted and referred to the Committee on Criminal Justice and Public Safety.

HB 686-FN-A, establishing a single payer health care system and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs. This bill would turn New Hampshire into a single payer health care state, meaning that the state government would entirely control the health care of its citizens. The only other state to attempt this was Vermont, which balked implementing its plan after the $2.6 billion price tag required an 11.5% payroll tax on employers and up a 9.5% premium tax on citizens. If this bill were to pass, it would dramatically increase taxes on business and the public; make the state less competitive and would particularly impact seasonal employers that would experience huge cost increases, and ultimately would result in massive job losses. This bill has no mechanism for which to pay for the enormous cost of single payer. Other defects in the legislation include no provisions for New Hampshire residents to be covered for outpatient care in other states and a failure to address tort reform while not providing any form of recourse for malpractice. In fact, the bill will initiate a transition to a no fault system for medical liability. HB 686 would prohibit the sale of any other competing health insurance policies in New Hampshire, leaving the health care system to be run like the state liquor commission. The sponsors suggested this bill was necessary due to the failings of the Affordable Care Act, but this is not the right solution to fix the problems with ACA. Vote 12-7.

Reps. McNamara and Herbert spoke against.

Rep. Hannon spoke in favor.

Committee report adopted.

HB 585-FN-A, relative to fines for violation of alcoholic beverage laws. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert R. Cushing for the Majority of Criminal Justice and Public Safety. This bill, as amended, requires the proceeds of fines imposed by courts for violation of liquor laws to be deposited into the treasury of the county, city, or town that originated the prosecution, and requires approval of the legislative body (county convention, city council, town meeting) to spend the funds. This clarification of existing law concerning the use of fines for liquor law violations is necessary to assure that the funds are utilized in a manner that the legislative body approves of. HB 585 also extends the penalty assessment currently collected on criminal fines to include violations of liquor law, and, to help meet state costs mitigating some of the damage done by the abuse of liquor, allocates the 10% penalty assessment on liquor fines to be divided evenly for deposit in the existing victims assistance fund, special fund for domestic violence programs, and alcohol abuse prevention and treatment fund. Vote 11-2.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. The liquor commission has been tasked with the oversight and control of alcohol consumption and sale. To combat the negative social effects of alcohol abuse, it has also has the authority to assess penalties for violating laws governing alcoholic beverages. The liquor commission enforcement personnel receive training from the New Hampshire Police Standards and Training and the penalty assessments for violating the laws assist in funding enforcement. The system of alcohol control and assessment of penalties is designed to compensate the state for the expenses associated with alcohol use and abuse. The fines are imposed, collected and are transmitted to three funds; victim assistance fund; domestic violence programs; and alcohol abuse prevention and treatment fund. It is the minority opinion that since the commission has oversight and control over alcohol it may be inadvertently perpetuating the destructive aspects of alcohol use by using negative social behaviors to fund enforcement.

Majority Amendment (0305h)

Amend the bill by replacing section 4 with the following:

4 Fines. Amend RSA 179:61, I to read as follows:

I. All fines imposed by any court and collected for the violation of the provisions of this title shall be paid to the ***treasurer of the*** state, county, or town, the officials of which instituted the prosecution. ***None of the funds collected for violations shall be expended by a political subdivision without approval of the legislative body of the political subdivision.***

AMENDED ANALYSIS

This bill establishes a penalty assessment for violation of alcoholic beverage laws.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 223 - NAYS 133

YEAS - 223

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Duane	Brown, Rebecca	Cooney, Mary	Ford, Susan
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Ingbretson, Paul
Ladd, Rick	Maes, Kevin	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Brown, Pamela
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Haefner, Robert
Harvey, Suzanne
Herbert, Christopher
Hinch, Richard
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
O'Neil, William
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Shattuck, Gilman
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Fesh, Robert
Francese, Paula
Gordon, Pamela
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Simpson, Alexis
Sytek, John
Webb, James
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 133

BELKNAP

Aldrich, Glen
Comtois, Guy
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Vadney, Herbert

CARROLL

Comeau, Ed | Cordelli, Glenn | McCarthy, Frank | Wright, Ted

CHESHIRE

Hunt, John | McConnell, Jim

COOS

Rappaport, Laurence | Rideout, Leon

GRAFTON

Bailey, Brad | Darrow, Stephen | Gionet, Edmond | Hull, Robert
Johnson, Eric

HILLSBOROUGH

Ammon, Keith | Belanger, James | Biggie, Barbara | Boehm, Ralph
Bouldin, Amanda | Burt, John | Byron, Frank | Coffey, James
Eastman, Eric | Edwards, Elizabeth | Estevez, Eric | Ferreira, Elizabeth
Fromuth, Bart | Gonzalez, Carlos | Gould, Linda | Griffin, Barbara
Halstead, Carolyn | Hansen, Peter | Hogan, Edith | Hopper, Gary
Kurk, Neal | Lachance, Joseph | LeBrun, Donald | Marston, Dick
McLean, Mark | Moore, Josh | Murotake, David | Murphy, Keith
Notter, Jeanine | O'Brien, William | Ober, Lynne | Ober, Russell
Ohm, Bill | Rice, Kimberly | Sanborn, Laurie | Schleien, Eric
Seidel, Carl | Smith, Gregory | Souza, Kathleen | Stepanek, Stephen
Sullivan, Victoria | Twombly, Timothy | Ulery, Jordan | Zaricki, Nick

MERRIMACK

Brewster, Michael | Hill, Gregory | Hoell, J.R. | Kuch, Bill
Long, Douglas | Marple, Richard | Martin, John | McGuire, Carol
McGuire, Dan | Parent, Jason | Seaworth, Brian | Walsh, Thomas

ROCKINGHAM

Abramson, Max | Allen, Mary | Baldasaro, Alfred | Bates, David
Belanger, Ronald | Bush, Carol | Cook, Allen | DeSimone, Debra
Duarte, Joe | Emerick, J. Tracy | Ferrante, Beverly | Gannon, William
Gordon, Richard | Griffin, Mary | Harris, Jeffrey | Hodgdon, Bruce
Introne, Robert | Itse, Daniel | Kappler, Lawrence | Katsakiores, Phyllis
Kellogg, Shem | Kolodziej, Walter | McMahon, Charles | Oligny, Jeffrey
Osborne, Jason | Peckham, Michele | Priestley, Anne | Rice, Frederick
Schroadter, Adam | Spillane, James | Sweeney, Joe | Tamburello, Daniel
Tasker, Kyle | Thomas, Douglas | True, Chris | Vose, Michael
Ward, Joanne | Weyler, Kenneth | Wood, David

STRAFFORD

Bickford, David | DeLemus, Susan | Groen, Warren | Hannon, Joseph
Kaczynski, Jr., Thomas | Knowles, Robert | Mullen, John | Parsons, Robbie
Pitre, Joseph | Turcotte, Leonard | Whitehouse, Joshua | Wuelper, Kurt

SULLIVAN

Laware, Thomas | Rollins, Skip

and the majority committee report was adopted and referred to the Committee on Ways and Means.

HB 215-FN, relative to school building aid grant payments. **OUGHT TO PASS WITH AMENDMENT.** Rep. John L. Balcom for Education. This bill lifts the school building fund moratorium and sets annual school building aid at $50 million until further changed. The bill as introduced proposed that SBA shall not "be less than" $50 million per fiscal year while the bill as amended reads shall "be established at" $50 million. Throughout the 6-year moratorium, the operating budget included only

funds to pay state obligated debt from previous years. Fifty percent of New Hampshire's schools are over 50 years in age of which a number of communities need state support in addressing needed renovation and construction projects. Vote 19-0.

Amendment (0218h)

Amend RSA 198:15-a, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Beginning July 1, [~~2013~~] ***2015***, and every fiscal year thereafter, school building aid grants for construction or renovation projects approved by the department of education shall [~~not exceed~~] ***be established at*** $50,000,000 per fiscal year less any debt service payments owed in the fiscal year, unless otherwise provided by an act of the general court. School building aid grants shall be funded from appropriations in the state operating budget and no state bonds shall be authorized or issued for the purpose of funding such school building aid grants.

AMENDED ANALYSIS

This bill provides that beginning July 1, 2015, the amount of school building aid grants shall be $50,000,000 per fiscal year.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 537-FN-L, relative to the calculation of the school administrative unit budget. **INEXPEDIENT TO LEGISLATE.**

Rep. John L. Balcom for Education. The committee felt this bill changes the basis for calculating the budget for SAUs, but the bill, as introduced, will have an indeterminable fiscal input on expedition in FY 16 and beyond. Complications arise with assessing financial impact as some SAUs do not operate schools, or some school districts belong to multi-district SAUs. Vote 21-0.

Committee report adopted.

HB 562-FN-L, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities. **OUGHT TO PASS.**

Rep. James Verschueren for Education. Currently New Hampshire is not fully funding the cost of an adequate education in every community as required by the New Hampshire Supreme Court. In 2011, a cap was put in place that limits any increase in adequacy education funding relative to the prior fiscal year. As a result of the cap, to date 79 communities have been underfunded in excess of $79 million dollars. This bill is revenue neutral. It addresses the distribution of existing adequacy funds, which are sufficient to meet the requirements of the court order, by adjusting how stabilization grants are distributed. The bill also stops sending education funding to communities with no students. The bipartisan majority of the committee believes that as a matter of fairness and constitutional requirement, the cap must be eliminated so that every community is fully funded. Vote 14-6.

Rep. Emerson requested a roll call; not sufficiently seconded.

Committee report adopted and referred to the Committee on Finance.

HB 575-FN-A, establishing the position of school nurse coordinator in the department of education and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Glenn Cordelli for the Majority of Education. This bill would create a new position of nursing coordinator within the department of education. We heard testimony of services provided by the school nurses association and an informal network of school nurses. The majority believes that there are higher priorities than this new position. Vote 12-6.

Rep. June M. Frazer for the Minority of Education. The committee minority remains convinced that the need for a school nurse coordinator is imperative. In the five years that this position has not existed, it has become clear that there are problems not met that would have been met if the position had existed. Moreover, those members are concerned at the message we send to the schools and the young people of the state, if we do not even retain this bill for further study.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Rideout requested a roll call; sufficiently seconded.

YEAS 236 - NAYS 122

YEAS - 236

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Spanos, Peter	Tilton, Franklin	Vadney, Herbert	

CARROLL

Buco, Thomas	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Eaton, Daniel	Emerson, Susan	Hunt, John	McConnell, Jim
Sterling, Franklin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Bailey, Brad	Bennett, Travis	Brown, Duane	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Maes, Kevin	Nordgren, Sharon
Piper, Wendy	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Brown, Pamela	Burt, John	Byron, Frank	Christensen, Chris
Cornell, Patricia	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Forest, Armand	Fromuth, Bart	Gagne, Larry
Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Jeudy, Jean	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Leishman, Peter	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rokas, Ted	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	Ebel, Karen	French, Harold	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Luneau, David	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Moffett, Howard
Parent, Jason	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Bush, Carol

Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Berube, Roger
Bickford, David
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Smith, Marjorie
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Grenier, James
Laware, Thomas
O'Hearne, Andrew
Rollins, Skip
Smith, Steven

NAYS - 122

CARROLL

Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Almy, Susan
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Coffey, James
Cohen, Alan
Cote, David
DiSilvestro, Linda
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Harvey, Suzanne
Herbert, Christopher
Jack, Martin
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
Gile, Mary

Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
MacKay, James	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia
Pantelakos, Laura	Peckham, Michele	Simpson, Alexis	

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Rollo, Deanna	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted.

HB 635-FN, relative to aid to school districts for costs of special education. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph G. Boehm for the Majority of Education. This bill proposes that special education aid to school districts be fully funded in accordance with the established formula. If fully funded in accordance with HB 635, the state's general fund expenditure and local revenues would increase by an indeterminable amount in FY 2016; however, based upon FY 15, the difference between full formula entitlement, less appropriation would be $7,400,859. For years FY 13 through FY 15, the state portion percentage has been 72%, 75% AND 74%. Vote 11-10.

Rep. Mary Stuart Gile for the Minority of Education. This bill removes the requirement that catastrophic special education funds be prorated among school districts entitled to such aid. The majority of the committee citing the past history of this legislation, voted Inexpedient to Legislate. The minority disagreed stating that the policy proposed in HB 635 made an important statement of support for children with catastrophic special needs, their families and communities.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Cloutier spoke against.

Rep. Cordelli spoke in favor.

Rep. Pamela Brown requested a roll call; not sufficiently seconded.

On a division vote, 220 members having voted in the affirmative and 140 in the negative, the majority committee report was adopted.

Rep. Berube did not vote and notified the Clerk that he wished to be recorded against.

HB 675-FN, relative to eligibility for in-state tuition rates at the university system of New Hampshire and the community college system of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph G. Boehm for Education. This bill allows children of illegal residents to obtain in-state tuition at our state universities and colleges. It is the federal government's responsibility to handle immigration, thereby, we the state should not get involved. By allowing illegal aliens to have the same access to our universities as in-state residents is not fair to law-abiding residents. How many of our legal residents will be forced out of classes because their seat is taken by an illegal? Is it fair for the children of legal immigrants to this country to be pushed aside by immigrants that have come here illegally? Lastly, in the absence of credible information about the existence of a problem and the costs attendant to the proposed solution, it is not possible to responsibly access the value or good sense of HB 675. It is clear that HB 675 would impose certain structures on the USNH Board of Trustees broad authority to establish residence rule, an authority delegated by the General Court in RSA 187-A:16, XIX. Vote 11-7.

Committee report adopted.

HB 530-FN-A, authorizing a trial program for electronic voter check-in. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Edith A. Hogan for the Majority of Election Law. This bill would authorize a trial program for the use of an electronic database check-in process instead of a paper checklist on election day. Although this may provide for faster voter check-in, the committee had a number of concerns with this bill. We are concerned about data security, the inability to determine the cost of the trial program, the elimination of a paper trail and the potential for compromising the integrity of the election process. For these reasons, a majority of the committee agreed that HB 530 was Inexpedient to Legislate. Vote 12-4.
Rep. Adam R. Schroadter for the Minority of Election Law. HB 530 aims to explore processes that can modernize or increase the efficiency and case of processing the information of the checklist after the election. The minority felt the proposal could be studied further.
Majority committee report adopted.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions. **OUGHT TO PASS.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill corrects a current inequity in regulatory practices in New Hampshire. When investigations must be conducted to verify or disprove allegations of misconduct against licensed practitioners, there can be substantial costs involved in ascertaining the facts. Especially for smaller boards these can be quite difficult to afford, given the fact that NH boards are self-financed. HB 216 would allow these boards, in cases where misconduct is proven, to recover the actual investigatory costs that were incurred, up to a maximum of $10,000. Currently, these costs are being borne by the boards' other licensees, thus unfairly penalizing those to whom no fault attaches. Vote 15-0.
Committee report adopted and referred to the Committee on Finance.

HB 401-FN, requiring the use of cloud computing technology by state agencies. **INEXPEDIENT TO LEGISLATE.**
Rep. J.R. Hoell for Executive Departments and Administration. The bill attempted to get the state agencies to move "where appropriate" and "if feasible" to the use of cloud technology. During the public hearing, no one from the various information technology departments testified in favor of this bill. Members of the committee expressed during executive session that cloud computing is potentially a cost reduction for the state, but the drafting of the bill was insufficient to accomplish the stated objective. The majority thought that letting the free market drive the adoption of cloud based computing solutions was in the best interest of the state agencies. Vote 14-1.
Committee report adopted.

HB 457-FN-A, establishing a nurse practitioner position at the veterans' home and making an appropriation therefor. **WITHOUT RECOMMENDATION.**

LAID ON THE TABLE

Rep. Andrew Christie moved that **HB 457-FN-A,** establishing a nurse practitioner position at the veterans' home and making an appropriation therefore, be laid on the table.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 674-FN, relative to the salaries of certain unclassified positions. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill codifies actions already approved by the joint committee on employee classification and amends current statutory language to reflect actual department staffing. As such, it is ministerial, rather than policy-making. Vote 12-3.

Amendment (0342h)

Amend the bill by replacing section 3 with the following:

3 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade GG by inserting the following positions:

GG	Department of information technology	director of technical support services
GG	Department of information technology	director of web support
GG	Insurance department	chief financial examiner
GG	Department of corrections	warden, New Hampshire correctional facility for women

Amend the bill by replacing section 10 with the following:

10 Salary of Financial Examinations Supervisor. Amend 2013, 205:2 to read as follows:

205:2 Salary of [~~Financial Examinations Supervisor~~] ***Insurance Department Position***. [~~The salary of the financial examinations supervisor established in section 1 of this act shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the financial examinations supervisor,~~] Position 41776 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of [~~financial examinations supervisor~~] ***chief financial examiner***. Funding shall be transferred into expenditure class [~~014~~] ***011***, within accounting unit 02-24-24-240010-2520.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 682-FN, granting group II retirement system status to certain positions in the department of corrections. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. This bill sought to reclassify a large number of department of corrections support positions currently in retirement group I as group II positions. Concerns were expressed that this change was overly broad and that a more carefully crafted bill to cover just a subset of these positions would make more sense. The list positions included plumbers, electricians, warehouse personnel, administrators and clerks. While the text of RSA 100-A:1, VII(b) may imply that these positions meet the requirements of this section of statutes, the committee felt that this interpretation of that statute was overly broad. The committee thinks there may be merit in a future bill with a more limited scope or a separate bill that makes changes to RSA 100-A:1 to further clarify what positions should be included for group I & II. Vote 13-2.

Committee report adopted.

HB 261, relative to disbursements of school building aid grant payments. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Karen C. Umberger for the Majority of Finance. The current methodology for distribution of school building aid is to provide 80% of eligible grant upon approval of the application for school building aid and disburse the remaining balance upon completion of construction and verification of the final costs of construction by the department of education. HB 261 wanted to provide an option for the school district to opt for a 20-year disbursement. The primary reason for the 80% upon approval was to reduce the bond amount the community would be required to put before the voters. This reduction in bonding requirements would save local taxpayers money and the interest paid over the life of the bond. HB 261 does not provide the savings to the school districts as is currently provided in the RSAs. Vote 14-9.

Rep. Thomas L. Buco for the Minority of Finance. HB 261 would allow the department of education to disburse school building aid in equal installments over a period not to exceed 20 years. Currently the school building aid program is under a moratorium through June 30, 2015. The program is capped at $50 million per year. The FY 17 payments on previous obligations are $36 million leaving $14 million for new projects if the $50 million is appropriated. The department of education estimates there are 42 projects pending which would be eligible for school building aid. The school building aid program currently requires that any new appropriations be paid 80% in a lump sum but HB 261 would change that requirement to allow more projects to participate by receiving annual payments over 20 years.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Buco and Cahill spoke against.

Rep. Umberger spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 226 - NAYS 135

YEAS - 226

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Bordenet, John	Chase, Cynthia	Emerson, Susan	Hunt, John
McConnell, Jim	Sterling, Franklin		

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Piper, Wendy	Shackett, Jeffrey	

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Jeudy, Jean	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Smith, Timothy
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian

Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Bickford, David
Cheney, Catherine
Cilley, Jacalyn
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Rollo, Deanna
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Grenier, James
Laware, Thomas
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 135

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Eaton, Daniel
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Harvey, Suzanne
Herbert, Christopher
Jack, Martin
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia
Pantelakos, Laura	Peckham, Michele	Schroadter, Adam	Simpson, Alexis

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Verschueren, James	Wall, Janet
Ward, Kenneth			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
O'Hearne, Andrew	Oxenham, Lee		

and the majority committee report was adopted.

HB 663-FN, requiring the implementation of a plan for the transfer of the fish and game department to the department of safety on or before July 1, 2017. **INEXPEDIENT TO LEGISLATE.**
Rep. David H. Kidder for Fish and Game and Marine Resources. The committee felt that the bill, as written, was not what the sponsor represented that he wanted and so we felt that we had no choice but to ITL the bill. It was also felt that the concept of moving the Fish and Game Department to Safety has a number of real problems that would truly need a study committee to address before a bill like this is introduced. Vote 13-0.
Committee report adopted.

HB 616-FN, increasing eligibility of claimants under the victims' assistance fund. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank H. Heffron for Judiciary. The victims' assistance fund reimburses victims of crime for medical expenses, lost wages and other expenses caused by the crime. It is funded from many sources, not including the general funds of the state. This bill raises the maximum amount of reimbursement for a victim from $25,000 to $30,000; prohibits a debt collector from collecting a debt resulting from a crime-related expense until an award is made from the fund or determined to be non-compensable; and permits the attorney general to request additional funds from compensation of crime victims out of any money in the Treasury not otherwise appropriated. The committee concluded that all of these modifications are reasonable and necessary. Vote 15-1.

Amendment (0221h)

Amend the title of the bill by replacing it with the following:
AN ACT relative to compensation to claimants under the victims' assistance fund.
Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Paragraphs; Claimant Eligibility; Compensation. Amend RSA 21-M:8-h by inserting after paragraph IX the following new paragraphs:

X.(a) No debt collector that has received notice of a claim filed pursuant to this section shall collect a debt or attempt to collect a debt resulting from a crime-related expense against a claimant under this section until an award is made to the claimant or the claim is determined to be noncompensable. The statute of limitations for the collection of such debts shall be tolled during the period of this prohibition.

(b) Any debt collector who violates the provisions of this paragraph shall be liable to the claimant pursuant to the provisions of RSA 358-C:4.

(c) In this paragraph, "debt collector" shall have the same meaning as in RSA 358-C:1, VIII.

XI. With the approval of the fiscal committee of the general court and the governor and council, the attorney general may request additional funds to pay claims for compensation to victims pursuant to RSA 21-M:8-h, on the warrant of the governor, out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill:

I. Increases maximum eligibility for compensation from the victims' assistance fund.

II. Prohibits a debt collector from collecting or attempting to collect a debt from a claimant resulting from a crime-related expense during the pendency of the claim.

III. Authorizes the attorney general to request additional funds as necessary to pay victims' compensation claims.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 677-FN, prohibiting the use of public funds for abortion services. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charlene F. Takesian for the Majority of Judiciary. This bill seeks to prohibit the use of public funds for abortion services. The bill is not needed as the law already prohibits public funds to be used for those services. These clinics provide vital healthcare services for men and women including cancer screening, prevention and counseling on sexually transmitted diseases, annual exams, immunization, urinary tract infection treatment and contraceptive options. These services are provided to our most vulnerable citizens including low income, uninsured and newly insured. Vote 14-3.

Rep. Kurt F. Wuelper for the Minority of Judiciary. HB 677-FN seeks to prohibit the state from contracting with any organization that provides or encourages abortion. The minority believes public funds going to these organizations indirectly supports abortions violating the conscience rights of taxpayers.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Souza and Groen spoke against.

Rep. Wuelper spoke against and yielded to questions.

Reps. Phillips and Takesian spoke in favor.

Rep. Gagne requested a roll call; sufficiently seconded.

YEAS 216 - NAYS 142

YEAS - 216

BELKNAP

Fields, Dennis	Fisher, Robert	Flanders, Donald	Fraser, Valerie
LeBreche, Shari			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Moynihan, Wayne	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Brown, Pamela
Byron, Frank
Christensen, Chris
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Haefner, Robert
Hansen, Peter
Harvey, Suzanne
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McClarren, Donald
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Russell
Peterson, Ken
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Francese, Paula
Gordon, Pamela
Griffin, Mary
Heffron, Frank
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Ward, Joanne
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Horrigan, Timothy
Kaen, Naida
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
O'Hearne, Andrew
Schmidt, Andrew
Smith, Steven

NAYS - 142

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Nelson, Bill

CHESHIRE

McConnell, Jim

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Shackett, Jeffrey			

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Christiansen, Lars	Coffey, James	Cohen, Alan	Danielson, David
Donovan, Daniel	Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Halstead, Carolyn	Hinch, Richard
Hogan, Edith	Hopper, Gary	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ohm, Bill	Palmer, Barry	Pellegrino, Anthony
Pierce, David	Rice, Kimberly	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen
Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	DeSimone, Debra
Duarte, Joe	Emerick, J. Tracy	Fesh, Robert	Gannon, William
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Kolodziej, Walter	O'Connor, John	Oligny, Jeffrey
Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Vose, Michael	Webb, James	Welch, David
Weyler, Kenneth	Wood, David		

STRAFFORD

Berube, Roger	Cheney, Catherine	DeLemus, Susan	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Parsons, Robbie	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Laware, Thomas Rollins, Skip

and the majority committee report was adopted.

HJR 1-FN, making restitution to Jeffrey Frost for inappropriate prosecution. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Legislative Administration. This house joint resolution evolved from a petition heard by the house committee on redress of grievances heard during the 2012 legislative session. This proposed legislation involves a complex legal situation that is presently being litigated in the New Hampshire court system. Jeffrey Frost decided to appeal the decision on his case to the New Hampshire supreme court. The committee agrees that this is an appropriate course of action. At this point, oral arguments before the Supreme Court have not been scheduled. Therefore, no final decision on this matter has been made. The committee agrees that legislative interaction that would appropriate $176,448.50 for prior court cost is unacceptable. Vote 8-0.

Committee report adopted.

HB 125-FN-L, relative to county audits and competitive bidding for county services. **INEXPEDIENT TO LEGISLATE.**

Rep. Lawrence M. Kappler for Municipal and County Government. The Municipal and County Government committee found that HB 125 is unnecessary, may have an undeterminable impact on counties, and voted to recommend ITL. Vote 10-7.

Rep. Cordelli spoke against.

Rep. Kappler spoke in favor.

On a division vote, 303 members having voted in the affirmative and 56 in the negative, the committee report was adopted.

HB 189, relative to authorization of payments by the treasurer from the Rockingham county delegation budget. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Keith Ammon for the Majority of Municipal and County Government. The county treasurer has to pay bills but needs the authority to do so. This bill would transfer that authority away from the county commissioners to a "designated" county delegation official, but only for Rockingham County. This effectively removes the ability for County Commissioners to pay bills even if they were already budgeted and/or authorized by the delegation. The majority felt that bills setting up special rules to address internal power struggles for one county are disfavored. The committee felt this stipulation belongs in delegation rules or in specific county RSAs and should not be in general RSAs if deemed warranted. Vote 10-8.

Rep. Lawrence M. Kappler for the Minority of Municipal and County Government. There was a misrepresentation of the county RSA's. It was stated, in committee, that naming a county within the law was an exceptional thing to do. The reality is truly quite different. In the RSA chapters 22 thru 30, there are 21 different references to specific counties. These references are not just for Rockingham and Hillsborough counties either. There are eight different counties having specific references: Rockingham has five; Belknap, Strafford, and Hillsborough have three each; Merrimack, Grafton and Cheshire have two exceptions; and Carroll has one. The state's two largest counties, Rockingham and Hillsborough have over half of the state's population and the majority of the state representatives. Rockingham alone has 90 representatives. These two counties are organized a little differently because of their size. And, it was in recognition of the fact that we filed this very needed legislation. We, the Rockingham county delegation really need this bill passed. The minority humbly asks for your support in overturning the committee's recommendation of ITL, so we can move Ought to Pass.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Weyler spoke against and yielded to questions.

Rep. Sterling spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

Rep. Kappler withdrew his request for a roll call.

On a division vote, 191 members having voted in the affirmative and 168 in the negative, the majority committee report was adopted.

HB 205-L, relative to lending practices of energy efficiency and clean energy districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Clyde J. Carson for Municipal and County Government. This bill would remove the eligibility of private business to take advantage of the energy efficiency and clean energy district law, also known as PACE. PACE has been part of state law for a few years, and is just beginning to have an impact on local efforts to control energy costs. This bill, if it were to be enacted would be a major set back to these efforts. The PACE program for businesses is based on financing renewable energy and energy conservation projects by private lenders for terms longer than conventional loans, and is designed to provide a positive cash payback from day 1. The loan for the project is repaid with the energy savings resulting from the project through a voluntary lien on the building, which is attached to the building, not the building owner or tenants. In this way, if the building is sold, the new owner assumes the debt to the private lender, as well as the energy measures. The municipality, where the building is located, acts as a conduit, collecting the loan repayments via the property tax bill and it receives an administrative fee for this role. The majority of the committee found that HB 205 was based on wrong assumptions about constitutionality of the PACE legislation, namely, that the municipality would guarantee the loan to the business. It was brought out during testimony that this was not the case, and the role of the municipality was solely to collect the loan payment and forward it to the lender. The committee was assured that only private investment would be used in this program – no municipal bonds, no ratepayer funds, no taxpayer dollars. The bill's author seemed to agree that the role of the municipality did not violate the constitution. Also, a NH constitutional expert from UNH Law School testified that nothing in the current RSA was in violation of the NH Constitution. Vote 12-4.

Rep. James Belanger moved Recommit.

Motion adopted.

Recommitted to the Committee on Municipal and County Government.

HB 407, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James P. Belanger for the Majority of Municipal and County Government. This bill has generated a lot of positive interest as many feel that the availability and purchase of military type equipment and firearms has incentivized the militarization of local police precincts and helped municipal governments build what are essentially small armies. Many on the committee sympathized with this notion and most of the phone calls received by committee members supported the bill with some exceptions. There were so many exceptions mentioned and the testimony at two sessions of hearings brought out the myriad of areas where this bill produced unintended consequences; too many to make this bill work even with amendments, as there was not enough time and expertise available to effect workable amendments. This bill cries out for a study committee, not retention, not amendments, but a full study of the subject matter using input from experts in the field. Statements like; "no state agency or political subdivision of this state shall acquire, purchase, or otherwise accept for use any military-equipped vehicle or military grade hardware, including but not limited to armored personnel carriers," and "any military-equipped vehicle or military grade hardware acquired in violation hereof shall be forfeited." were too far reaching and affected fire departments, state police special units and others. The majority of the committee saw no other option but to ITL. Vote 8-5.

Rep. Susan C. DeLemus for the Minority of Municipal and County Government. This bi-partisan legislation would prohibit the continued acquisition of military grade hardware by the various police forces in the state. Over the last 10 years, the state has received almost $6,000,000 worth of just department of defense surplus grade hardware, including but not limited to: firearms (handguns and rifles), grenade launchers, vehicles and night vision goggles. While there is potentially good reason to take advantage of excess federal equipment being given away, the concern for the safety of the citizens needs to be taken into account. After the fall out in Ferguson, MO, the distribution of used military grade hardware became a concern for citizens across the spectrum. The bill limits the ban to certain forms of hardware, the kind typically found on the battlefield. For example, a .308 semi-automatic rifle could be given to the police force, where as a full-auto rifle would be prohibited under the language in the bill. Furthermore as experienced in several towns, some citizens were against the acquisition of some of these pieces of equipment, but the town councils have chosen

to proceed with the grant application anyway. The bill allows for a local control override on the prohibition provided the citizens vote for the acquisition. Additionally an amendment was submitted that would have expressly allowed the distribution of medical supplies. It is time to ask ourselves; with this extra equipment are the citizens safer? Is allowing the purchase or receipt of this military assault style equipment going to strain our already burdened budgets? We have already received over 400 military grade rifles; the question is how many more do we need to feel safe?

MOTION TO SPECIAL ORDER

Rep. Flanagan moved that **HB 407,** prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market, be made a Special Order to the end of today's Regular Calendar.
Motion adopted.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 616-FN,** increasing eligibility of claimants under the victims' assistance fund.

The House recessed at 12:10 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR CONT'D

HB 591-FN-A-L, relative to the road toll rate and eliminating a capital appropriation for highway projects. **INEXPEDIENT TO LEGISLATE.**
Rep. Mark E. McConkey for Public Works and Highways. The sponsor's position was that revenue raised by road toll in 2014 (18 cents) was sufficient to maintain our transportation system, if spent properly. In 2014, the road toll was adjusted for the first time in 22 years by 4.2 cents and increased revenue by millions of dollars. Over 33 million dollars in 2015 for state and municipal road/bridge repair, 25 million dollars for our worst roads, over 8 million dollars more for municipal bridge aid, increased municipal block grant road/bridge aid by 4 million dollars a year and funds the completion of I-93. After the increase in road toll was legislated, the department of transportation awarded contracts for new work and many of those projects have begun. If repealed, there would be financial consequences and there is no source of funds to make up for that shortfall. The I-93 completion would be halted and monies intended to bolster state and municipal road/bridge repair, municipal bridge aid, municipal block grant and bridge aid would be curtailed. Vote 18-0.
Rep. Seidel spoke against and yielded to questions.
Reps. McConkey and Cloutier spoke in favor.
Rep. Spillane spoke against and requested a roll call; sufficiently seconded.

YEAS 243 - NAYS 108

YEAS - 243

BELKNAP

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Hurt, George
LeBreche, Shari	Luther, Robert	Tilton, Franklin	

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas

Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Brown, Pamela
Christensen, Chris
Christiansen, Lars
Coffey, James
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Gould, Linda
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansen, Peter
Harvey, Suzanne
Herbert, Christopher
Hinch, Richard
Jack, Martin
Jeudy, Jean
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Joanne
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len
Gray, James	Horrigan, Timothy	Kaen, Naida	Parsons, Robbie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew		

NAYS - 108

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Gallagher, Brian	Howard, Jr., Raymond	Spanos, Peter	Sylvia, Michael
Vadney, Herbert			

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
Johnson, Eric			

HILLSBOROUGH

Ammon, Keith	Barry, Richard	Boehm, Ralph	Burt, John
Byron, Frank	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gonzalez, Carlos	Goulette, William	Halstead, Carolyn	Hogan, Edith
Hopper, Gary	Lachance, Joseph	LeBrun, Donald	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ohm, Bill
Palmer, Barry	Peterson, Ken	Rice, Kimberly	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bush, Carol
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Oligny, Jeffrey	Osborne, Jason
Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick
Spillane, James	Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	True, Chris	Vose, Michael	

STRAFFORD

DeLemus, Susan	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Laware, Thomas Smith, Steven

and the committee report was adopted.

HB 208-FN, repealing the New Hampshire regional greenhouse gas initiative program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill originally proposed to repeal the regional greenhouse gas initiative (RGGI) program. Such repeal, while attractive on several levels, is not practical: New Hampshire ratepayers would pay the same price for wholesale electricity while losing $15-$18 million in RGGI auction proceeds. These proceeds are expected to increase to $40 million by 2020. The amended bill simply increases the amount rebated to ratepayers from 80% to 100%, less administrative costs. This amended bill would thus slow the increase in electricity costs. It would protect residential and business ratepayers while leaving in place a structure that will make it easier for NH to comply with future EPA carbon emission regulations. Vote 12-8.

Rep. William S. Baber for the Minority of Science, Technology and Energy. The minority concurs with the many citizens, doctors, businesses, retail merchants, health and conservation organizations, the Department of Environmental Services and the Public Utilities Commission that spoke out in opposition to this bill. If enacted, this bill as amended will raise the cost of electricity to ratepayers, eliminate tax reducing energy efficiency subsidies to cities and towns, negatively impact over 1,000 energy efficiency jobs, increase our dependence on imported fuel, export more state dollars and jobs, and increase our health cost by decreasing our air quality. It also would rob funding from programs reducing energy costs to low income residents that reduce the dilemma of choosing between fuel and food. All this in exchange, according to the PUC, for a mere 16 cents per month savings to the average ratepayer. RGGI provides incentives for electric generators to reduce carbon emissions and provides funding for energy efficiency projects. These efficiency projects have two multipliers: recipients will invest some of their own funds in energy efficiency measures to receive an incentive; implemented efficiency projects return around $4 dollars for every $1 invested. As an example of effectiveness of these incentives, the PUC lifetime estimated energy savings for participating NH municipalities for 2014 projects alone will approach 67,000,000 KWH of electricity that will no longer need to be paid out of local property taxes. Cumulative RGGI energy efficiency investments benefit every state ratepayer by decreasing total demand. This avoids purchasing power at the highest offered price and reduces the need to build new generating plants. RGGI has been in place throughout our recovery from the great recession. Without RGGI, our energy consumption would have grown proportionally. With RGGI, ISO New England reports our energy consumption has actually decreased. And, there are the health impacts. The American Lung Association testified that by reducing air pollution, RGGI is preventing heart attacks, avoiding hospitalizations, and saving lives. Under current law RGGI is a hallmark example of an effective program that is providing substantial benefits to every citizen in New Hampshire. At a time of rapidly rising energy prices, passing a bill that will lead to increased demand is a big step in the wrong direction.

Majority Amendment (0139h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to allowance sales under the New Hampshire regional greenhouse gas initiative program.

Amend the bill by replacing all after the enacting clause with the following:

1 Energy Efficiency Fund and Use of Auction Proceeds. Amend RSA 125-0:23, II to read as follows:

II. All amounts in excess of the threshold price, ***minus administrative costs,*** of [~~$1~~] ***$0*** for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

2 Repeal. The following are repealed:

I. RSA 125-O:23, III-V, relative to use of remaining proceeds received by the state from the sale of allowances.

II. RSA 374-F:6, V, relative to the duty of the oversight committee on electric utility restructuring to monitor core energy efficiency programs pursuant to RSA 125-O:23, III.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires all amounts from allowance sales under the New Hampshire regional greenhouse gas initiative program to be rebated to retail electric ratepayers in this state.

Reps. Kaen, Backus and Baber spoke against.

Reps. Vose, Vadney and Spillane spoke in favor.

Rep. Schleien requested a roll call; sufficiently seconded.

YEAS 197 - NAYS 158

YEAS - 197

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Coffey, James	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gidge, Kenneth	Gonzalez, Carlos
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Moffett, Howard
Seaworth, Brian	Walsh, Thomas	Wheeler, Deborah	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Belanger, Ronald	Bush, Carol
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
DeSimone, Debra	Devine, James	Duarte, Joe	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Griffin, Mary	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Major, Norman
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine
Rice, Frederick	Sanders, Elisabeth	Schroadter, Adam	Spillane, James
Sweeney, Joe	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	True, Chris	Vose, Michael	Ward, Joanne
Welch, David	Weyler, Kenneth	Wood, David	

STRAFFORD

Bickford, David	Cheney, Catherine	DeLemus, Susan	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Parsons, Robbie
Pitre, Joseph	Turcotte, Leonard		

SULLIVAN

Laware, Thomas	Rollins, Skip	Smith, Steven

NAYS - 158

BELKNAP

Fields, Dennis	Flanders, Donald

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David

DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Gargasz, Carolyn	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Harvey, Suzanne	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Porter, Marjorie
Proulx, Mark	Rosenwald, Cindy	Scontsas, Lisa	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Sullivan, Victoria	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Long, Douglas	Luneau, David
MacKay, James	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane		

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie
Elliott, Robert	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Webb, James	Woitkun, Steven

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 201 - NAYS 154

YEAS - 201

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Coffey, James	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gonzalez, Carlos	Gould, Linda	Goulette, William
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Simmons, Tammy	Smith, Gregory	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sullivan, Victoria	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	DeSimone, Debra	Devine, James	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Gannon, William	Gordon, Richard	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem
Kolodziej, Walter	Major, Norman	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Bickford, David	Cheney, Catherine	DeLemus, Susan	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Parsons, Robbie
Pitre, Joseph	Turcotte, Leonard		

SULLIVAN

Laware, Thomas Rollins, Skip Smith, Steven

NAYS - 154

CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John
Chase, Cynthia Eaton, Daniel Emerson, Susan Ley, Douglas
Mann, John Parkhurst, Henry Pearson, William Phillips, Larry
Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce
Tilton, Benjamin Weber, Lucy

COOS

Moynihan, Wayne Theberge, Robert Thomas, Yvonne

GRAFTON

Abel, Richard Almy, Susan Bennett, Travis Brown, Chris
Brown, Rebecca Cooney, Mary Ford, Susan Hennessey, Martha
Higgins, Patricia Maes, Kevin Nordgren, Sharon Piper, Wendy
Smith, Suzanne Townsend, Charles White, Andrew

HILLSBOROUGH

Backus, Robert Beaulieu, Jane Belanger, James Booras, Efstathia
Brown, Pamela Cohen, Alan Cornell, Patricia Cote, David
Danielson, David DiSilvestro, Linda Edwards, Elizabeth Forest, Armand
Freitas, Mary Gargasz, Carolyn Gidge, Kenneth Goley, Jeffrey
Gorman, Mary Guerette, C. Lee Harvey, Suzanne Herbert, Christopher
Jack, Martin Jeudy, Jean Leishman, Peter Long, Patrick
Mangipudi, Latha Manley, Jonathan McNamara, Richard O'Brien, Michael
O'Neil, William Porter, Marjorie Proulx, Mark Rosenwald, Cindy
Scontsas, Lisa Shattuck, Gilman Shaw, Barbara Smith, Timothy
Snow, Kendall Soucy, Timothy Sullivan, Daniel Vann, Ivy
Walsh, Robert Williams, Kermit Wolf, Terry Woodbury, David

MERRIMACK

Alicea, Caroletta Bartlett, Christy Bradley, Paula Deloge, Helen
Doherty, David Ebel, Karen Frazer, June French, Barbara
Gile, Mary Henle, Paul Hirsch, Geoffrey Karrick, David
Kenison, Linda Kidder, David Luneau, David MacKay, James
Moffett, Howard Myler, Mel Patten, Dick Ratzki, Mario
Rogers, Katherine Saunderson, George Schuett, Dianne Shurtleff, Stephen
Turcotte, Alan Wallner, Mary Jane Wheeler, Deborah

ROCKINGHAM

Berrien, Skip Borden, David Cahill, Michael Cali-Pitts, Jacqueline
Cardon, G. Thomas Cushing, Robert DiFranco, Debbie Francese, Paula
Gordon, Pamela Heffron, Frank Lovejoy, Patricia McBeath, Rebecca
Moody, Marcia Pantelakos, Laura Sherman, Thomas Simpson, Alexis

STRAFFORD

Baber, William Berube, Roger Bixby, Peter Burton, Wayne
Cilley, Jacalyn DiSesa, Len Horrigan, Timothy Kaen, Naida
Rollo, Deanna Schmidt, Peter Smith, Marjorie Southworth, Thomas
Spang, Judith Sprague, Dale Stevens, Audrey Treleaven, Susan
Verschueren, James Wall, Janet Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and the majority committee report was adopted and referred to the Committee on Finance.

HB 615-FN-A, relative to funding for state energy efficiency programs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill would codify current practices within several state departments with regard to operating procedures for implementing state government energy efficiency plans. The cost analysis provided for the bill indicated that costs could increase after a five-year period. Testimony indicated that the affected agencies were already using the operating procedures described. Vote 11-9.

Rep. Robert A. Backus for the Minority of Science, Technology and Energy. This bill would implement some of the recommendations of the 2014 state energy strategy by aligning some reporting dates and making the law consistent with current practices in regard to energy efficiency measures undertaken by state agencies. It would also allow state agencies to retain in their own accounts some of the savings achieved through energy efficiency projects. Although there was no opposing testimony, the bill failed to receive majority support due in part to a fiscal note that called for adding one-half time employee, even though the fiscal note stated that the bill would not require any new revenue because of the savings to be gained through energy efficiency measures.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Backus and Shepardson spoke against.

Reps. Vose and Vadney spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 145

YEAS - 210

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Coffey, James
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth

Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Bradley, Paula
Brewster, Michael
French, Harold
Hill, Gregory
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Berube, Roger
Bickford, David
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua

SULLIVAN

Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 145

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Harvey, Suzanne	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Porter, Marjorie
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Deloge, Helen	Doherty, David
Ebel, Karen	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Moody, Marcia	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted.

HB 273, relative to the rights of inhabitants and their political choice. **INEXPEDIENT TO LEGISLATE.** Rep. David C. Lundgren for State-Federal Relations and Veterans Affairs. This bill addresses the rights of inhabitants and their political choice. The bill discussion centered on corporate government and contracts. The committee deemed it Inexpedient to Legislate. Vote 8-5.
Committee report adopted.

HB 433, relative to the state guard. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Timothy J. Smith for the Majority of State-Federal Relations and Veterans Affairs. This bill makes unnecessary changes to various statutes relating to the state guard. The adjutant general testified in opposition to this bill, and saw no need for the changes it contains. Vote 8-5.

Rep. Alfred P. Baldasaro for the Minority of State-Federal and Veterans Affairs. The New Hampshire State Guard existed from 1913 to about 1953, with a primary purpose of guarding the prisoner of war camps in WWI and WWII. HB 433 amends the existing state guard statute, RSA 111, which was last amended in 1985, before the war on terror. It corrects a defect identified by the attorney general addressing liability issues for actions of the state guard. It further reorganizes the state guard so that it would normally operate on a volunteer basis and be fully self-supplied, including its administration, so that there will be no regular cost to the state. HB 433 also updates language in a related statute regarding the ability of the towns to seek the support of the state guard should it exist and clarifying that the state guard requested by towns would be subordinate to civilian emergency personnel. Finally, it removes the requirement that the National Guard been federal service for the state guard to exist: SOF Rule 1, "A competent force cannot be created after emergencies occur."

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Itse and Baldasaro spoke against.
Rep. Timothy Smith spoke in favor.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 215 - NAYS 137

YEAS - 215

BELKNAP

Fields, Dennis	Flanders, Donald	Hurt, George	Spanos, Peter
Tilton, Franklin			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Bouldin, Amanda	Brown, Pamela	Christensen, Chris	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Edelblut, Frank	Edwards, Elizabeth	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Hansen, Peter	Harvey, Suzanne	Herbert, Christopher
Hinch, Richard	Jack, Martin	Jeudy, Jean	Kurk, Neal
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan

McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cook, Allen
Cushing, Robert
Devine, James
DiFranco, Debbie
Elliott, Robert
Francese, Paula
Gordon, Pamela
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
Moody, Marcia
Nigrello, Robert
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Webb, James

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Horrigan, Timothy
Kaen, Naida
Parsons, Robbie
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 137

BELKNAP

Aldrich, Glen
Comtois, Guy
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
LeBreche, Shari
Sylvia, Michael
Vadney, Herbert

CARROLL

Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Schmidt, Stephen
Wright, Ted

CHESHIRE

McConnell, Jim
Sterling, Franklin

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Brown, Duane	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	

HILLSBOROUGH

Ammon, Keith	Balcom, John	Belanger, James	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Coffey, James
Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gagne, Larry	Gould, Linda	Goulette, William	Griffin, Barbara
Halstead, Carolyn	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ohm, Bill	Proulx, Mark	Rice, Kimberly
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Bush, Carol	Chirichiello, Brian	DeSimone, Debra
Doucette, Fred	Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Griffin, Mary
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	McKinney, Betsy	McMahon, Charles	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Potucek, John	Priestley, Anne
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Vose, Michael	Ward, Joanne	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

DeLemus, Susan	Gray, James	Groen, Warren	Hannon, Joseph
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	

SULLIVAN

Laware, Thomas	Rollins, Skip

and the majority committee report was adopted.

HB 241-FN, prohibiting driving while holding an animal in the driver's seat. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for the Majority of Transportation. The majority of the committee felt an animal in the lap of an operator is a distraction. This bill will name this a violation with a fine of $100 if convicted. The majority does not want to make common sense law but to look at each bill on its' own merit. In this case, the animal on the lap is the distraction that could lead to injury or death of the innocent. If we write state motor vehicle law to protect the public, then this bill furthers the goal of safety. Vote 10-8.

Rep. Chris A. True for the Minority of Transportation. The minority feels that this is a 'nanny state' bill. There are laws on the books that address distracted driving. This bill will have the government finding yet another action that people cannot do. It is a slippery slope when we allow government to legislate common sense.

LAID ON THE TABLE

Rep. Timothy Smith moved that **HB 241-FN,** prohibiting driving while holding an animal in the driver's seat, be laid on the table.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 296 - NAYS 56

YEAS - 296

BELKNAP

Aldrich, Glen	Fields, Dennis	Fisher, Robert	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

CARROLL

Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	Wright, Ted	

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Chase, Cynthia
Emerson, Susan	Hunt, John	Ley, Douglas	Mann, John
McConnell, Jim	Parkhurst, Henry	Pearson, William	Phillips, Larry
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Almy, Susan	Bailey, Brad	Bennett, Travis	Brown, Chris
Brown, Duane	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Johnson, Eric	Ladd, Rick	Piper, Wendy
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Danielson, David	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Forest, Armand	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Goulette, William
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Harvey, Suzanne	Herbert, Christopher	Hinch, Richard
Hogan, Edith	Hopper, Gary	Jack, Martin	Jeudy, Jean
Kurk, Neal	Lachance, Joseph	Leishman, Peter	Manley, Jonathan
Marston, Dick	McCarthy, Peggy	McClarren, Donald	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Shattuck, Gilman
Simmons, Tammy	Smith, Gregory	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip

Sullivan, Daniel
Ulery, Jordan
Woodbury, David
Sullivan, Victoria
Walsh, Robert
Zaricki, Nick
Takesian, Charlene
Williams, Kermit
Twombly, Timothy
Wolf, Terry

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Henle, Paul
Karrick, David
Long, Douglas
Moffett, Howard
Rogers, Katherine
Shurtleff, Stephen
Bradley, Paula
French, Barbara
Hill, Gregory
Kenison, Linda
Martin, John
Myler, Mel
Saunderson, George
Turcotte, Alan
Brewster, Michael
French, Harold
Hoell, J.R.
Kidder, David
McGuire, Carol
Patten, Dick
Schuett, Dianne
Walsh, Thomas
Doherty, David
Gile, Mary
Horn, Werner
Kotowski, Frank
McGuire, Dan
Ratzki, Mario
Seaworth, Brian
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Berrien, Skip
Chase, Francis
DeSimone, Debra
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Peckham, Michele
Rice, Frederick
Simpson, Alexis
Tamburello, Daniel
Vose, Michael
Weyler, Kenneth
Abramson, Max
Barnes, Arthur
Bush, Carol
Chirichiello, Brian
Devine, James
Elliott, Robert
Francese, Paula
Hagan, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Oligny, Jeffrey
Potucek, John
Sanders, Elisabeth
Spillane, James
Tasker, Kyle
Ward, Joanne
Woitkun, Steven
Allen, Mary
Bates, David
Cahill, Michael
Christie, Andrew
DiFranco, Debbie
Emerick, J. Tracy
Gannon, William
Harris, Jeffrey
Introne, Robert
Kellogg, Shem
Matthews, Carolyn
Moody, Marcia
Osborne, Jason
Priestley, Anne
Schroadter, Adam
Sweeney, Joe
Thomas, Douglas
Webb, James
Wood, David
Azarian, Gary
Belanger, Ronald
Cardon, G. Thomas
Cook, Allen
Doucette, Fred
Ferrante, Beverly
Gordon, Richard
Heffron, Frank
Itse, Daniel
Kolodziej, Walter
McBeath, Rebecca
Nigrello, Robert
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Sytek, John
True, Chris
Welch, David

STRAFFORD

Baber, William
DeLemus, Susan
Hannon, Joseph
Knowles, Robert
Pitre, Joseph
Treleaven, Susan
Whitehouse, Joshua
Berube, Roger
DiSesa, Len
Horrigan, Timothy
Leeman, Don
Schmidt, Peter
Verschueren, James
Bickford, David
Gray, James
Jones, Laura
Mullen, John
Sprague, Dale
Wall, Janet
Cheney, Catherine
Groen, Warren
Kaczynski, Jr., Thomas
Parsons, Robbie
Stevens, Audrey
Ward, Kenneth

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew
Converse, Larry
Irwin, Virginia
Smith, Steven
Gagnon, Raymond
Laware, Thomas
Gottling, Suzanne
O'Hearne, Andrew

NAYS - 56

CARROLL

Buco, Thomas
Comeau, Ed
McCarthy, Frank

CHESHIRE

Berch, Paul
Eaton, Daniel
Robertson, Timothy

COOS

Richardson, Herbert
Theberge, Robert

GRAFTON

Abel, Richard | Hennessey, Erin | Ingbretson, Paul | Maes, Kevin
Nordgren, Sharon

HILLSBOROUGH

Ammon, Keith | Beaulieu, Jane | Brown, Pamela | Coffey, James
Cote, David | DiSilvestro, Linda | Edwards, Elizabeth | Freitas, Mary
Fromuth, Bart | Goley, Jeffrey | LeBrun, Donald | Long, Patrick
Mangipudi, Latha | McLean, Mark | McNamara, Richard | Moore, Josh
O'Brien, Michael | O'Neil, William | Seidel, Carl | Shaw, Barbara

MERRIMACK

Bartlett, Christy | Deloge, Helen | Frazer, June | Hirsch, Geoffrey
Kuch, Bill | Luneau, David | MacKay, James | Marple, Richard
Wallner, Mary Jane

ROCKINGHAM

Borden, David | Cali-Pitts, Jacqueline | Cushing, Robert | Gordon, Pamela
Pantelakos, Laura

STRAFFORD

Bixby, Peter | Burton, Wayne | Kaen, Naida | Rollo, Deanna
Smith, Marjorie | Southworth, Thomas | Spang, Judith | Turcotte, Leonard

SULLIVAN

Rollins, Skip

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 387-FN, relative to motor vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for Transportation. This bill would allow biennial inspections and would raise the current fee per sticker from $3.25 to $6.50 to maintain renewal. The majority of the committee felt that our state has one of the worst driving climates, and this weather takes a severe toll on our vehicles. In a state where the average vehicle may be on the road for 10 years or more, current inspection policy works and no change is needed. Vote 19-1.

Reps. Spillane, Vose and Baldasaro spoke against.

Rep. Tamburello spoke against and yielded to questions.

Rep. Steven Smith spoke in favor.

Rep. Michael O'Brien spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 207 - NAYS 140

YEAS - 207

BELKNAP

Fields, Dennis | Flanders, Donald | Hurt, George | Spanos, Peter
Tilton, Franklin

CARROLL

Buco, Thomas | Butler, Edward | Chandler, Gene | Crawford, Karel
McConkey, Mark | Nelson, Bill | Parker, Harold | Schmidt, Stephen
Ticehurst, Susan | Umberger, Karen

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Bordenet, John
Chase, Cynthia | Eaton, Daniel | Emerson, Susan | Hunt, John
Ley, Douglas | Parkhurst, Henry | Pearson, William | Phillips, Larry
Robertson, Timothy | Sad, Tara | Shepardson, Marjorie | Tatro, Bruce
Weber, Lucy

COOS

Moynihan, Wayne | Rappaport, Laurence | Rideout, Leon | Theberge, Robert
Tholl, John

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Haefner, Robert
Harvey, Suzanne
Herbert, Christopher
Hinch, Richard
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ohm, Bill
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Rosenwald, Cindy
Rowe, Robert
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Schuett, Dianne
Shurtleff, Stephen
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Berrien, Skip
Borden, David
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Gordon, Pamela
Hagan, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McMahon, Charles
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Joanne
Webb, James
Welch, David

STRAFFORD

Baber, William
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Mullen, John
Parsons, Robbie
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Oxenham, Lee
Smith, Steven

NAYS - 140

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari	Luther, Robert
Sylvia, Michael	Vadney, Herbert		

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Wright, Ted

CHESHIRE

McConnell, Jim	Sterling, Franklin	Tilton, Benjamin

COOS

Fothergill, John

GRAFTON

Brown, Duane	Gionet, Edmond	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric		

HILLSBOROUGH

Ammon, Keith	Barry, Richard	Belanger, James	Biggie, Barbara
Boehm, Ralph	Bouldin, Amanda	Burt, John	Byron, Frank
Coffey, James	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda
Goulette, William	Griffin, Barbara	Guerette, C. Lee	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Hopper, Gary	Lachance, Joseph
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	O'Brien, William	Ober, Russell
Peterson, Ken	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Brewster, Michael	Deloge, Helen	French, Harold	Hill, Gregory
Hoell, J.R.	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Ratzki, Mario
Saunderson, George	Seaworth, Brian	Turcotte, Alan	Wallner, Mary Jane

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Belanger, Ronald	Bush, Carol	Cali-Pitts, Jacqueline
Cook, Allen	Cushing, Robert	DeSimone, Debra	Duarte, Joe
Emerick, J. Tracy	Fesh, Robert	Francese, Paula	Gannon, William
Gordon, Richard	Griffin, Mary	Harris, Jeffrey	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter	McKinney, Betsy
Oligny, Jeffrey	Osborne, Jason	Peckham, Michele	Potucek, John
Priestley, Anne	Rice, Frederick	Schroadter, Adam	Spillane, James
Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Vose, Michael	Weyler, Kenneth	Wood, David

STRAFFORD

Bickford, David	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	

SULLIVAN

Converse, Larry	Rollins, Skip	Schmidt, Andrew

and the committee report was adopted.

Rep. Notter declared a conflict of interest and did not participate.

HB 258-FN-L, relative to fees for preparing motor vehicle registration documents. **OUGHT TO PASS.**
Rep. Mary R. Cooney for Ways and Means. The administrative costs to cities and towns of processing vehicle registrations have increased significantly over the three decades since the reimbursement amount to town clerks was set at one dollar. Manchester officials have estimated their actual costs to be greater than one dollar per registration. This bill, which has bipartisan support, raises this amount to two dollars with the result that the increased costs, which are now borne by the property tax payers, will justifiably be shifted to motor vehicle owners. Vote 13-5.
Committee report adopted and referred to the Committee on Finance.

HB 576-FN-A, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected and continually appropriating 3 percent of meals and rooms tax revenues to school building aid. **INEXPEDIENT TO LEGISLATE.**
Rep. Patrick F. Abrami for Ways and Means. The intent of this bill is to repeal this provision in state statute that allows business operation to retain 3 percent of the meals and room tax, which is compensation for acting as agent of the state to collect this tax. This 3 percent would be redirected to a school building aid fund established by this bill. A bipartisan majority of the committee felt that the 3 percent compensation to the business operations is a fair amount for their effort, to collect and remit this tax in a timely fashion. It was also noted by the committee that many business operators also pay credit card fees of 3 percent of more. Vote 19-1.
Rep. Cahill spoke against.
Rep. Abrami spoke in favor.
Committee report adopted.
Rep. Schroadter declared a conflict of interest and did not participate.

HB 623-FN, providing property tax relief for taxpayers for the property tax year beginning April 1, 2016. **INEXPEDIENT TO LEGISLATE.**
Rep. Bill H. Ohm for Ways and Means. This well intended bill attempts to give local property tax relief by directing $100,000,000 of Tobacco Tax funds and $40,000,000 of Tobacco settlement funds to cities and towns. However, no replacement funding is identified. Vote 18-0.
Rep. Brewster spoke against.
Rep. Ohm spoke in favor.
Committee report adopted.

SPECIAL ORDER

HB 407, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. James P. Belanger for the Majority of Municipal and County Government. This bill has generated a lot of positive interest as many feel that the availability and purchase of military type equipment and firearms has incentivized the militarization of local police precincts and helped municipal governments build what are essentially small armies. Many on the committee sympathized with this notion and most of the phone calls received by committee members supported the bill with some exceptions. There were so many exceptions mentioned and the testimony at two sessions of hearings brought out the myriad of areas where this bill produced unintended consequences; too many to make this bill work even with amendments, as there was not enough time and expertise available to effect workable amendments. This bill cries out for a study committee, not retention, not amendments, but a full study of the subject matter using input from experts in the field. Statements like; "no state agency or political subdivision of this state shall acquire, purchase, or otherwise accept for use any military-equipped vehicle or military grade hardware, including but not limited to armored personnel carriers," and "any military-equipped vehicle or military grade hardware acquired in violation hereof shall be forfeited." were too far reaching and affected fire departments, state police special units and others. The majority of the committee saw no other option but to ITL. Vote 8-5.
Rep. Susan C. DeLemus for the Minority of Municipal and County Government. This bi-partisan legislation would prohibit the continued acquisition of military grade hardware by the various police forces in the state. Over the last 10 years, the state has received almost $6,000,000 worth of just department of defense surplus grade hardware, including but not limited to: firearms (handguns and rifles), grenade launchers, vehicles and night vision goggles. While there is potentially good reason to take advantage of excess federal equipment being given away, the concern for the safety of the

citizens needs to be taken into account. After the fall out in Ferguson, MO, the distribution of used military grade hardware became a concern for citizens across the spectrum. The bill limits the ban to certain forms of hardware, the kind typically found on the battlefield. For example, a .308 semi-automatic rifle could be given to the police force, where as a full-auto rifle would be prohibited under the language in the bill. Furthermore as experienced in several towns, some citizens were against the acquisition of some of these pieces of equipment, but the town councils have chosen to proceed with the grant application anyway. The bill allows for a local control override on the prohibition provided the citizens vote for the acquisition. Additionally an amendment was submitted that would have expressly allowed the distribution of medical supplies. It is time to ask ourselves; with this extra equipment are the citizens safer? Is allowing the purchase or receipt of this military assault style equipment going to strain our already burdened budgets? We have already received over 400 military grade rifles; the question is how many more do we need to feel safe?

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. James Belanger spoke against.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 134 - NAYS 204

YEAS - 134

BELKNAP

Fields, Dennis	Gallagher, Brian		

CARROLL

Buco, Thomas	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Ley, Douglas
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	

COOS

Moynihan, Wayne	Richardson, Herbert	Tholl, John

GRAFTON

Abel, Richard	Almy, Susan	Cooney, Mary	Ford, Susan
Hennessey, Martha	Maes, Kevin	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	White, Andrew		

HILLSBOROUGH

Backus, Robert	Biggie, Barbara	Brown, Pamela	Christiansen, Lars
Cote, David	DiSilvestro, Linda	Goley, Jeffrey	Gonzalez, Carlos
Guerette, C. Lee	Harvey, Suzanne	Herbert, Christopher	Hinch, Richard
LeBrun, Donald	Leishman, Peter	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Pierce, David
Proulx, Mark	Rosenwald, Cindy	Rowe, Robert	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Doherty, David	Frazer, June
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Marple, Richard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	

ROCKINGHAM

Belanger, Ronald	Cahill, Michael	Cardon, G. Thomas	Chase, Francis
DeSimone, Debra	Devine, James	Ferrante, Beverly	Francese, Paula
Gordon, Pamela	Griffin, Mary	Heffron, Frank	Hoelzel, Kathleen
Lovejoy, Patricia	Major, Norman	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	Moody, Marcia	Pantelakos, Laura	Peckham, Michele
Priestley, Anne			

STRAFFORD

Baber, William	Burton, Wayne	Cilley, Jacalyn	DiSesa, Len
Gray, James	Hannon, Joseph	Horrigan, Timothy	Kaen, Naida
Leeman, Don	Rollo, Deanna	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Gagnon, Raymond	Gottling, Suzanne	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

NAYS - 204

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Flanders, Donald
Fraser, Valerie	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

CARROLL

Chandler, Gene	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Umberger, Karen	

CHESHIRE

Emerson, Susan	McConnell, Jim	Pearson, William	Tatro, Bruce
Tilton, Benjamin			

COOS

Fothergill, John	Rappaport, Laurence	Rideout, Leon	Theberge, Robert

GRAFTON

Brown, Chris	Brown, Duane	Brown, Rebecca	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Townsend, Charles	

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Boehm, Ralph	Booras, Efstathia	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Coffey, James
Cohen, Alan	Cornell, Patricia	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Forest, Armand	Freitas, Mary	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gorman, Mary	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	Hopper, Gary	Jack, Martin
Jeudy, Jean	Kurk, Neal	Lachance, Joseph	Marston, Dick
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Pellegrino, Anthony
Peterson, Ken	Porter, Marjorie	Rice, Kimberly	Rouillard, Claire
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Shattuck, Gilman	Simmons, Tammy	Smith, Gregory	Smith, Timothy
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Bradley, Paula	Brewster, Michael	Deloge, Helen	Ebel, Karen
French, Barbara	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Martin, John	McGuire, Carol	McGuire, Dan	Moffett, Howard
Seaworth, Brian	Turcotte, Alan		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Berrien, Skip
Borden, David	Bush, Carol	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Cushing, Robert	DiFranco, Debbie	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Gannon, William	Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Kolodziej, Walter	McMahon, Charles	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Sherman, Thomas	Simpson, Alexis	Spillane, James	Sweeney, Joe
Sytek, John	Tasker, Kyle	Thomas, Douglas	True, Chris
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Bickford, David	Bixby, Peter	Cheney, Catherine	DeLemus, Susan
Groen, Warren	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Pitre, Joseph	Schmidt, Peter	Turcotte, Leonard	Whitehouse, Joshua

SULLIVAN

Cloutier, John	Converse, Larry	Grenier, James	Irwin, Virginia
Laware, Thomas	Rollins, Skip	Smith, Steven	

and the majority committee report failed.

Rep. Hannon voted Yea and intended to vote Nay.

Rep. Hoell moved the minority committee report of Ought to Pass and offered floor amendment (0472h).

Floor Amendment (0472h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivision.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study:

I. The classifications of military vehicles and equipment and determine which classifications the state and its political subdivision should be prohibited from purchasing.

II. The various possible dispositions of vehicles and equipment currently owned by the state or its political subdivision that the committee would recommend prohibiting.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study classifications of military vehicles and equipment and make recommendations as to which classes the state and its political subdivisions should be prohibited from purchasing.

Rep. Hoell spoke in favor.

Floor amendment (0472h) adopted.

Minority committee report adopted and ordered to third reading.

CLERK'S NOTE

The Speaker waived the referral of **HB 407,** establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivision, to the Committee on Executive Departments and Administration.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph G. Boehm for Education. This bill assumes that there will be STEM jobs available in the state for scholarship graduates. With the high level of business taxes and energy costs in our state, businesses may opt to locate in other states with less taxes and costs. In addition, the proposed bill does not include scholarship availability in the New Hampshire Community College System where career emphasis is placed on advanced manufacturing and technology. Vote 19-0.

LAID ON THE TABLE

Rep. Ladd moved that **HB 676-FN-A,** establishing a science, technology, engineering, and mathematics scholars program, be laid on the table.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 670-FN, relative to the rights of conscience for medical professionals. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The intent of the bill is to protect the right of all healthcare providers, healthcare institutions and health care payers. The committee felt the protection offered was too broad involving individuals as well as institutions. Most professional groups have a code of ethics, which provide guidelines to address conscientious objection and offer a better balance between patient rights and provider rights. Finally, the committee did not feel the bill adequately protects the employer. Vote 18-0.

Reps. Itse and Groen spoke against.

Rep. Fothergill spoke in favor.

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 237 - NAYS 88

YEAS - 237

BELKNAP

Fields, Dennis	Fisher, Robert	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	LeBreche, Shari	Spanos, Peter	Vadney, Herbert

CARROLL

Buco, Thomas	Chandler, Gene	Crawford, Karel	McConkey, Mark
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	McConnell, Jim	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert
Theberge, Robert	Tholl, John		

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Ladd, Rick	Maes, Kevin	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Townsend, Charles	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Byron, Frank	Christensen, Chris	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Edelblut, Frank
Flanagan, Jack	Forest, Armand	Freitas, Mary	Fromuth, Bart
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Harvey, Suzanne	Herbert, Christopher
Hinch, Richard	Jack, Martin	Jeudy, Jean	Kurk, Neal
LeBrun, Donald	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McClarren, Donald	McNamara, Richard
O'Brien, Michael	O'Neil, William	Ober, Lynne	Ober, Russell
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Schleien, Eric	Scontsas, Lisa	Shattuck, Gilman	Simmons, Tammy
Smith, Gregory	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Straight, Phillip	Sullivan, Daniel	Takesian, Charlene	Walsh, Robert
Williams, Kermit	Wolf, Terry	Woodbury, David	Zaricki, Nick

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Luneau, David	MacKay, James	Marple, Richard
Martin, John	Moffett, Howard	Myler, Mel	Patten, Dick
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Belanger, Ronald
Berrien, Skip	Cahill, Michael	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cushing, Robert	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Gordon, Pamela	Griffin, Mary
Heffron, Frank	Hoelzel, Kathleen	Katsakiores, Phyllis	Kellogg, Shem
Kolodziej, Walter	Lovejoy, Patricia	Major, Norman	Matthews, Carolyn
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Nigrello, Robert	O'Connor, John	Osborne, Jason	Packard, Sherman

Pantelakos, Laura	Potucek, John	Priestley, Anne	Schroadter, Adam
Sherman, Thomas	Simpson, Alexis	Sweeney, Joe	Sytek, John
Tasker, Kyle	Thomas, Douglas	Ward, Joanne	Webb, James
Welch, David	Woitkun, Steven		

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Cilley, Jacalyn
DiSesa, Len	Gray, James	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Smith, Steven

NAYS - 88

BELKNAP

Aldrich, Glen	Comtois, Guy	Howard, Jr., Raymond	Luther, Robert
Sylvia, Michael	Tilton, Franklin		

CARROLL

Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Nelson, Bill
Parker, Harold			

COOS

Rideout, Leon

GRAFTON

Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
Johnson, Eric			

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Burt, John	Christiansen, Lars
Coffey, James	Eastman, Eric	Ferreira, Elizabeth	Gagne, Larry
Gould, Linda	Goulette, William	Hogan, Edith	Lachance, Joseph
Marston, Dick	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ohm, Bill
Sanborn, Laurie	Seidel, Carl	Souza, Kathleen	Stepanek, Stephen
Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	McGuire, Carol	McGuire, Dan	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Borden, David	Bush, Carol	Cook, Allen	DeSimone, Debra
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Peckham, Michele	Prudhomme-O'Brien, Katherine	Rice, Frederick
Spillane, James	True, Chris	Vose, Michael	Weyler, Kenneth
Wood, David			

STRAFFORD

Cheney, Catherine	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua		

SULLIVAN

Laware, Thomas

and the committee report was adopted.

HB 352, relative to violations of constitutional rights. **INEXPEDIENT TO LEGISLATE.**
Rep. Timothy O. Horrigan for Judiciary. This bill would have required county attorneys to immediately file civil actions whenever an individual alleged that his or her constitutional rights had been diminished. The committee agreed that this bill's proposal was vague and overly broad. Vote 15-0.
Rep. Horrigan spoke in favor.
Rep. Marple spoke against and requested a roll call; not sufficiently seconded.
Committee report adopted.

HB 397, relative to the duties of public servants. **INEXPEDIENT TO LEGISLATE.**
Rep. Jane E. Beaulieu for Municipal and County Government. The bill sponsor was not available for the hearing and nobody was present to explain the intent to the committee. Without any information received during the hearing or after, the committee felt ITL was the prudent position to take. Vote 17-0.
Rep. Marple spoke against.
Rep. Beaulieu spoke in favor.
On a division vote, 274 members having voted in the affirmative and 45 in the negative, the committee report was adopted.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 258-FN-L,** relative to fees for preparing motor vehicle registration documents.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 4, 2015 at 10:00 a.m.
Motion adopted.

LATE SESSION

Third reading and final passage

HB 344, relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts.
HB 170, relative to the advisory committee on international trade.
HB 493, relative to minimum voting booths for city or town elections.
HB 502, relative to petitions for verification of checklists.
HB 503, relative to presidential primary ballots.
HB 529, relative to party conventions.
HB 545, relative to eligibility for office.
HB 146, relative to the board of dental examiners.
HB 364, relative to renewal fees administered by the office of professional licensing.
HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses.
HB 464, establishing the traditional commercial and recreational fishing protection act, prohibiting political subdivisions from interfering with commercial and recreational operations.
HB 260, relative to the definition of antique motor vehicle or motorcycle.
HB 395-FN, relative to electronic toll collection.
HB 616-FN, relative to compensation to claimants under the victims' assistance fund.
HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivision.
HB 258-FN-L, relative to fees for preparing motor vehicle registration documents.

MOTION TO PRINT REMARKS

Rep. Goulette moved that the remarks made by Rep. Itse on February 11, 2015 on Unanimous Consent be printed in the Permanent Journal.
Motion failed.

UNANIMOUS CONSENT

Rep. Nordgren, along with members from Lebanon, Hanover and Canaan requested Unanimous Consent of the House regarding memorial remarks for the former Representative from Hanover, the Honorable Elizabeth Crory.
Rep. Nordgren addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Nordgren be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Nordgren: Thank you, Mister Speaker. Elizabeth Crory was 82 when she passed away on February 1, 2015. She and her husband, Fred, raised their six children in Hanover after 3 years in Alaska. Elizabeth, sometimes called Betty, served as a House member from Hanover for 14 years from 1976 to 1986 and again from 1992 to 1996. In between, she ran for Senate against our friend, Jim Rubens. Also, during that race, she had major surgery, which she kept a secret and nobody knew. Even on TV debates that she was in quite a bit of pain. She was tough. Elizabeth served on the Commerce Committee and became an expert on health care, insurance and banking. We certainly could have used her lately. She was a vital member of the Upper Valley community for her work with the very young and very old. For example, she was the Executive Director of the Children's Center of the Upper Valley. She was also instrumental in starting Outreach House, an assisted living facility for frail elders. Elizabeth was the first layperson selected by the New Hampshire Supreme Court to the New Hampshire Bar's Board on Character and Fitness. She also chaired the New Hampshire Health Services Planning and Review Board. A lifelong Democrat, an avid walker, voracious reader, lover of the arts, philanthropist and loyal fan of the Red Sox and Hanover High Marauders, she loved to garden and play cribbage. When I first came to the House in 1988, there always cribbage games in the anteroom, also smoking in the cafeteria, but then before that, there was smoking in this very hall. Elizabeth was a committed advocate for fairness, the underserved, healthcare, education and life long learning, volunteerism, community nursing and more. She was committed to the importance of the democratic process. She loved the New Hampshire House and always made herself available to advise and mentor others who were in office or thinking of running. She lived a full life, one full of public and volunteer service. She died as she wished, in peace and in her home being remembered as a good friend to many, a teacher, a legislator and a successful businesswoman. Elizabeth would have been happy to be remembered simply as a caring and committed citizen. Thank you.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former Representative from Hanover, the Honorable Elizabeth Crory.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 4:35 p.m.

RECESS

(Rep. Eaton in the Chair)

RESOLUTION

Rep. Rosenwald offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered HB 1-A, HB 2-FN-A-L and HB 25-FN-A shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF HOUSE BILLS

First, second reading and referral

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. (Kurk, Hills 2: Finance)
HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. (Kurk, Hills 2: Finance)
HB 25-FN-A, making appropriations for capital improvements. (Chandler, Carr 1: Public Works and Highways)

RECESS

(Speaker Jasper in the Chair)

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 208-FN,** relative to allowance sales under the New Hampshire regional greenhouse gas initiative program.

RECESS

(Speaker Jasper in the Chair)

Rep. Packard moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 8

Wednesday, March 4, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Almighty God, bless the members of this House, their staff, their colleagues, and our Governor, Maggie Hassan. During these challenging weeks, as each person takes on their share of the burden of work, give them energy, purpose, and clarity of thought. There are so many distractions in our daily lives, including those which prey upon our human weaknesses, so I pray for Your protection for these dedicated women and men. Keep them safe from anything that might divert them from their tasks; give them concentration, focus and perseverance. May they be confident in their skills and their knowledge, and have vision to imagine new possibilities. Bless them in the work they do today and every day, and give them the satisfaction of a job well done. Amen.

Representative Stephen Schmidt, member from Wolfeboro, led the Pledge of Allegiance.

The National Anthem was sung by Nathan Smith, a junior at Concord High School.

LEAVES OF ABSENCE

Reps. Berube, Cote, Gladys Johnsen, Manning, Frank McCarthy, Moody, Oxenham, Parsons and Wheeler, the day, illness.
Reps. Fisher, Flanders, Forest, Gidge, Guerette, Hull, Thomas Katsiantonis, Kolodziej, Douglas Long, Milz and Souza, the day, important business.
Rep. DeLemus, the day, illness in the family.

INTRODUCTION OF GUESTS

Ifreet Taheea and Ulviyya Akbarova, exchange students at Pittsfield High School, Pages for the day.

Joel Weinrebe and Brad Ober, guests of Rep. LeBreche. Glen Allred, brother of Rep. Valerie Fraser. Students from Merrimack High School, guests of Rep. Notter. Students from The White Mountain School, government and civics field course, guests of Reps. Bailey and Ford. Joan Smith, mother of the singer, guest of Rep. MacKay.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
HB 302, requiring a public hearing prior to the submission of a grant application by the department of education, removed by Rep. Hoell.
HB 228, relative to showing or specially marking a ballot, removed by Rep. Rideout.
HB 406, relative to the date of the state primary election, removed by Rep. Joe Sweeney.
HB 620-FN, relative to the Interstate Voter Registration Crosscheck Program, removed by Rep. Hoell.
HB 627-FN, relative to registering to vote, removed by Rep. Hoell.
HB 665-FN, relative to nomination papers, removed by Rep. Abramson.
HB 202, repealing the authority for the dispensing of prescription drugs in certain clinics, removed by Rep. Hoell.
HB 489, relative to annulment of mental health records, removed by Rep. Hoell.
HB 435, relative to persons held in civil contempt, removed by Rep. Hoell.
HB 224-FN, repealing the exemption for water and air pollution control facilities from local property taxation, removed by Rep. Cushing.
HB 525, relative to appropriations in the county budget, removed by Rep. Frank McCarthy.
HB 148, limiting the authority of delegates to Article V conventions, removed by Rep. Horrigan.
HCR 2, applying to Congress to hold a convention for amendments, removed by Rep. Notter.
HCR 3, applying to Congress to call a convention of states under the United States Constitution, removed by Rep. Horrigan.

HB 437-FN, exempting proprietorships from taxation under the business enterprise tax, removed by Rep. Itse.
HB 438-FN-A, exempting proprietorships from taxation under the business profits tax, removed by Rep. Hoell.
Consent Calendar adopted.

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school. **OUGHT TO PASS.**
Rep. Mary Heath for Education. This bill establishes a commission to study the issues related to students receiving special education services while attending a chartered school and is the result of the study committee assigned by the House Education Committee related to HB 1128. Numerous individuals came forward with related concerns on this issue, thus the need to establish a year-long commission to study and recommend findings related to: funding of special Ed services, practices related to relationships and communication between public charter schools and LEA's to better serve children with disabilities. Vote 18-3.

HB 237, requiring vocational education centers to prioritize science, technology, engineering, and mathematics curricula as a condition for funding. **INEXPEDIENT TO LEGISLATE.**
Rep. John L. Balcom for Education. This bill was not considered necessary for a statewide vocational program that currently is working well. Furthermore, the committee believed that it made little sense to have popular career center programs such as culinary arts and automotive mechanics competing for different levels of funding priorities than STEM programs. Vote 21-0.

CACR 12, relating to qualifications for public office. Providing that no person shall be qualified for any elective office unless previously residing in and having as domicile a place within the limits of the district for which the candidate is seeking office for no less than the term of the office sought. **INEXPEDIENT TO LEGISLATE.**
Rep. William M. Gannon for Election Law. The intent of the bill was to place a domicile requirement on candidates for office equal to the term of office. The qualification clause of the U.S. Constitution states that neither Congress nor the states may add to the qualifications of residents as this is an exclusive enumeratory power of the U.S. Congress. The U.S. Supreme Court decision in U.S. Term Limits, Inc. v. Thornton (1995) found that states cannot add to those qualifications for federal office stated in the U.S. Constitution. According to that decision, this bill would be unconstitutional. Vote 18-0.

HB 127, relative to identification of voters. **INEXPEDIENT TO LEGISLATE.**
Rep. Edith A. Hogan for Election Law. This bill authorizes the ballot clerk to verify the identity of a voter. Currently the clerk, city, town or ward moderator or supervisors of the checklist can verify a person's identity if they don't produce an authorized photo identification. This bill would add ballot clerks to the list and the committee doesn't feel it is appropriate to expand this list. A strong majority of the committee feels this bill should be Inexpedient to Legislate. Vote 17-1.

HB 140, relative to appointment of inspectors of election. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Barbara J. Griffin for Election Law. This bill modifies the procedure for appointing inspectors of election. Currently town and ward political committees are to appoint the inspectors of election per RSA 658:2. Often this does not happen, leaving the obligation on selectmen who often have a difficult task to find qualified voters to serve. The original bill allowed appointments by town officials without regard to political party. After consideration of comment from the public and secretary of state's office, the committee adopted the bill as amended. The amendment maintains the party role as provided for in the current statute, but allows the appointments to occur in conjunction with the moderator, and sets forth a specific process to follow in the appointment of the inspectors of election. Vote 17-0.

Amendment (0355h)

Amend the bill by replacing all after the enacting clause with the following:

1 Inspectors of Election; Appointment. Amend RSA 658:2 to read as follows:

658:2 Appointment. [~~Each town and ward political committee of the 2 political parties which cast the largest number of votes for governor in the state at the last previous general election is authorized to appoint between~~] ***Prior to*** May 15 [~~and July 15~~] of each general election year,

the selectmen, in consultation with the moderator, shall make a list of registered voters in the town or ward in equal numbers from the 2 political parties that received the highest number of votes for governor in the last state general election to serve as inspectors of election for the next 2-year period. The list shall designate 2 inspectors of election ***from each party*** to act at each polling place. If the number of voters qualified to vote at a polling place shall exceed 2,000, [~~said political committees may each appoint~~] ***the list may designate*** for such polling place one additional inspector ***from each party*** for each 1,500 qualified voters or fraction thereof in excess of 2,000. The [~~town and ward political committees may also appoint~~] ***list may also designate*** such additional inspectors, equally divided between said 2 political parties, as the moderator considers necessary for the efficient conduct of the election. ***The selectmen shall submit the list to the town or ward political committees of the 2 parties for approval or changes. The list, approved or changed by the political committees, shall constitute the appointments of inspectors of election for the applicable term.*** On or before July 15, the [~~chairmen of said political committees~~] ***selectmen*** shall notify the appointees and the town or ward clerk and city clerk concerned as to appointments made under this authority. [~~If any such appointments are not made by said political committees and proper notification thereof given on or before July 15, then the appointments shall be made by the selectmen of the town or ward in equal numbers from said 2 political parties.~~]

2 Inspectors of Election; Alternates. Amend RSA 658:5 to read as follows:

658:5 Alternates. In making appointments of inspectors of elections as provided in RSA 658:2, [~~town and ward political committees or town and ward~~] ***the*** selectmen***, in consultation with the moderator,*** may designate a list of alternates ***to the list of appointed inspectors***, who shall meet the same qualifications as inspectors of elections[~~, to~~]. ***Alternates shall*** be called in numerical order to serve in case one or more of the principal appointees fails to accept the appointment or is otherwise unavailable to perform his ***or her*** duties.

3 Effective Date. This act shall take effect 60 days after its passage.

HB 149, relative to qualifications for the office of county commissioner. **OUGHT TO PASS.**
Rep. William A. Pearson for Election Law. This bill seeks to include county commissioner as one of the offices incompatible with executive councilor. The law already excludes governor, U.S. senator and representative, state senator and representative, county sheriff, county attorney, county treasurer, register of deeds and register of probate from being on executive council. It is the belief of the committee that there would also exist a conflict of interest should someone inhabit both the offices of executive councilor and county commissioner. Vote 18-0.

HB 204, relative to incompatibility of town offices. **INEXPEDIENT TO LEGISLATE.**
Rep. Wayne M. Burton for Election Law. This bill inserts "cemetery trustee" into the list of town appointments that can only be held one at a time. Other positions incompatible with cemetery trustee are: town treasurer, moderator, trustee of the trust funds, selectman, and head of the town's police department on a full-time basis. Absent compelling testimony in support of this bill and any discussions in committee that would cause us concern, the vote for Inexpedient to Legislate was unanimous. Vote 18-0.

HB 304, establishing a committee to study public access to political campaign information. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Kathleen F. Souza for Election Law. This bill establishes a committee to study public access to campaign information by looking into the possibility of using an on-line reporting system. This might make our campaign finance reporting more transparent and encourage citizen confidence in our system. HB 304 would also look into the feasibility of an on-line clearinghouse of voter information, something of potential benefit to the electorate. Vote 15-1.

Amendment (0359h)

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall study public access to political campaign information. The committee shall evaluate the merits and viability of having the state establish or endorse:

(a) A system of online campaign finance reporting.

(b) An online clearinghouse of information for voters, including voter registration and polling place information and information filed by candidates and political committees.

II. The committee shall solicit input from the secretary of state and the attorney general.

HB 311, relative to withdrawal of candidates. **INEXPEDIENT TO LEGISLATE.**
Rep. Travis Bennett for Election Law. RSA 655:30 identifies that candidates who want to withdraw must do so by the end of the filing period. HB 311 would extend the date to the Wednesday following. Both the subcommittee and full committee unanimously recommended to Inexpedient to Legislate this bill due to concerns about conflicts arising from shifting the withdrawal deadline to after the filing period closes. Vote 18-0.

HB 432, relative to counting votes. **INEXPEDIENT TO LEGISLATE.**
Rep. James P. Gray for Election Law. This bill would modify both RSA 659:17 and 659:64. RSA 659:17 requires instruction to voters describing how to vote be printed at the top of the general election ballot. HB 432 would add an additional instruction informing voters that if they incorrectly mark their ballot that they may request a new ballot from the moderator. RSA 658:28 requires this same information be printed on a voter instruction card that is posted in each voting booth. The committee did not agree that the information should also be printed on each ballot. RSA 659:64 provides guidance on counting ballots, which are not marked in compliance with the instructions. HB 432 describes some of the marks found on ballots during the most recent recounts and provides instructions on how those ballots would be counted. The committee believes that the determination of the intent of the voter must be done by evaluating each mark on the ballot in context with the other marks on the ballot and should not be prescribed in law. Vote 18-0.

HB 649-FN, relative to campaign contributions. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert A. Luther for Election Law. RSA 664 regulates political expenditures and contributions; and codifies the reporting requirements. HB 649 would further regulate the contributions made by individuals who are not residents of New Hampshire to $250 and require the fiscal agent of a candidate who receives a contribution from any out-of-state source in the last week prior to the primary or general election to report it to the secretary of state within 48 hours of receipt. The committee believes that limiting the contributions of individuals who are not New Hampshire residents to $250 is unjust and the change to the reporting requirement unneeded. Vote 16-0.

HB 652-FN, relative to undeclared voters. **INEXPEDIENT TO LEGISLATE.**
Rep. Duane R. Brown for Election Law. Current law allows undeclared voters to declare as a registered voter with party affiliation prior to voting in a primary election and return to undeclared status after voting. This bill allows undeclared voters to vote in any party primary without declaring party affiliation. Voting in a party primary should be for members of that party. The current system is appropriate and should not be changed. Vote 18-0.

HB 412, relative to reporting of corrective action implementation of audit findings by entities subject to an audit by the legislative budget assistant. **INEXPEDIENT TO LEGISLATE.**
Rep. David J. Danielson for Finance. This bill requires an agency audited by the Legislative Budget Assistant to report its progress on remedying those corrective actions noted in the audit. The issue the committee recognized is that there is no provision for follow-up actions regarding the implementation of those required actions; the bill merely required a report. After consultation with agencies about next steps to ensure audit findings are corrected as needed, it was observed that the Fiscal Committee, which hears reports on all audits, could, if it wished, set specific follow-up deadlines as part of its supervisory responsibilities. Vote 20-0.

HB 534, relative to the duties of the housing finance authority. **OUGHT TO PASS.**
Rep. Timothy L. Twombly for Finance. This bill requires the NH Housing Finance Authority to disclose all terms and conditions associated with grants or loans made to municipalities including requirements of a third party, such as a federal agency, which may be providing funds. It also sets November 1 as a deadline for the agency's annual report of operations with a complete certified financial audit of its preceding fiscal year. Vote 21-0.

HB 654-FN-A-L, relative to the distribution of marriage license fees and the funding source for the domestic violence grant program. **INEXPEDIENT TO LEGISLATE.**
Rep. Cindy Rosenwald for Finance. This bill removes the $38 of the marriage license fee currently appropriated to fund domestic violence programs and adds this money to the general fund. The bill establishes a new dedicated fund, which would be authorized to accept gifts, grants and donations

to fund domestic violence. During testimony, the committee learned that 50% of murders and 92% of murder-suicides in New Hampshire involve domestic violence. The committee believes the bill's proposed funding mechanism is less stable than the current funding mechanism for these important programs and would leave vulnerable victims of domestic violence less protected. In addition to the Finance Committee looking at the domestic violence funding during the budget process, there is also a bill before the legislature to examine all dedicated funds. Vote 23-1.

HB 678-FN, requiring an evaluation of vendor performance on certain state contracts. **INEXPEDIENT TO LEGISLATE.**
Rep. J. Tracy Emerick for Finance. While well intended, this bill is insufficiently complete to accomplish the desired results. The posting of evaluations on the internet is not well advised due to the potential for lawsuits by poorly rated vendors. Another bill, the result of a study committee, with the same evaluation topic is in process. The bill also required additional staff with no appropriation in the bill. Vote 24-0.

HB 232, relative to training in suicide risk assessment, treatment, and management. **INEXPEDIENT TO LEGISLATE.**
Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. Committee members share the concern about the appropriate level of training in suicide risk assessment, treatment and management for mental health care workers. However, we believe that another bill currently being heard would provide a more comprehensive approach to the issue. Vote 15-0.

HB 337, relative to the patients' bill of rights. **INEXPEDIENT TO LEGISLATE.**
Rep. John Fothergill for Health, Human Services and Elderly Affairs. The intent of the bill was to abolish the patients' bill of rights if the person was not of sound mind and relinquish those rights to an immediate family member or guardian. The committee heard very little testimony to support such a bill. Most patient advocates were opposed, as was the committee. Vote 14-0.

HB 483, relative to the commission on primary care workforce issues. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill, as amended expands the membership of the commission and extends the commission's sunset to 2019. Primary care workforce and manpower issues represent a significant ongoing challenge throughout New Hampshire. The commission is anxious to continue its work. Vote 15-0.

Amendment (0236h)

Amend the bill by replacing section 1 with the following:

1 Commission on Primary Care Workforce Issues; Membership. Amend RSA 126-T:1 to read as follows:

126-T:1 Commission Established; Membership. There is hereby established a commission on primary care workforce issues. The members of the commission shall be as follows:

I. One member of the house of representatives, appointed by the speaker of the house of representatives.

II. The commissioner of the department of health and human services, or designee.

III. The commissioner of the department of labor, or designee.

IV. T***he insurance commissioner, or designee.***

V. The dean, or designee, from a public ***institution with a*** health science school, appointed by the president of the institution.

[~~V.~~] ***VI.*** The dean, or designee, from a private ***institution with a*** health science school, appointed by the president of the institution.

[~~VI.~~] ***VII.*** A representative of the New Hampshire Medical Society, appointed by the society.

[~~VII.~~] ***VIII*** A representative of the New Hampshire Dental Society, appointed by the society.

[~~VIII.~~] ***IX.*** A representative of the New Hampshire Mental Health Coalition, appointed by the coalition.

[~~IX.~~] ***X.*** Three representatives from the state's rural ***and underserved*** health care facilities, including 2 practitioners and one administrator, appointed by the governor.

[~~X.~~] ***XI.*** A representative of the New Hampshire Citizens Health Initiative, appointed by such organization.

[~~XI.~~] ***XII.*** A representative of the New Hampshire Area Health Education Center, appointed by the organization.

[~~XII.~~] ***XIII.*** A representative of the Bi-State Primary Care Association, appointed by the association.

[~~XIII.~~] ***XIV.*** Three at large members, nominated by the commission and appointed by the governor.

XV. A representative of the New Hampshire Nurse Practitioner Association, appointed by the association.

XVI. A representative of the New Hampshire Society of Physician Assistants Association, appointed by the association.

XVII. A representative of the New Hampshire Hospital Association, appointed by the association.

Amend the bill by deleting sections 2 and 3 and renumbering the original sections 4-6 to read as 2-4, respectively.

HB 225, requiring the defendant to personally appear in the courtroom during a victim impact statement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for Judiciary. This bill seeks to require a defendant to be present during a victim's impact presentation prior to sentencing. We are familiar with a recent attempt by a convicted murderer to avoid facing the family of his victim. This bill would avoid this, but would give the sentencing judge some leeway to excuse attendance if circumstances at the time warranted. Vote 16-1.

Amendment (0205h)

Amend RSA 651:4-a as inserted by section 1 of the bill by replacing it with the following:

651:4-a [~~Victims of Certain Violent Crimes Against a Person Permitted to Speak Before Sentencing and at Sentence Reduction or Suspension Hearings~~] ***Right of Crime Victim to Address Judge; Defendant Required to Personally Appear.*** Before a judge sentences or suspends or reduces the sentence of any person for capital, first degree or second degree murder, attempted murder, manslaughter, aggravated felonious sexual assault, felonious sexual assault, first degree assault, or negligent homicide committed in consequence of being under the influence of intoxicating liquor or controlled drugs, the victim of the offense, or the victim's next of kin if the victim has died, shall have the opportunity to address the judge. The victim or victim's next of kin may appear personally or by counsel and may reasonably express his views concerning the offense, the person responsible, and the need for restitution. The prosecutor[~~, the person to be sentenced,~~] and the attorney for the [~~person to be sentenced shall have the right to~~] ***defendant may*** be present when the victim or victim's next of kin so addresses the judge. ***The defendant shall personally appear in court when the victim or victim's next of kin addresses the judge, unless excused by the court.*** The judge may consider the statements of the victim or next of kin made pursuant to this section when imposing sentence or making a decision regarding sentence reduction or sentence suspension.

HB 415, limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda B. Kenison for Judiciary. New Hampshire emergency services responders have limited liability in responding to incidents in New Hampshire. New Hampshire towns bordering Maine, Massachusetts and Vermont have interstate mutual aid emergency services compacts. This bill would provide the same limited liability afforded to New Hampshire emergency services responders to out-of-state emergency services responders responding to incidents in New Hampshire. There was no opposition to this bill. Vote 15-0.

Amendment (0421h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Liability Limited for Certain Out-of-State Emergency Services Entities. Amend RSA 508 by inserting after section 12-b the following new section:

508:12-c Liability Limited for Certain Out-of-State Emergency Services. When a police officer, firefighter, or other emergency services worker from an out-of-state entity responds to an emergency in New Hampshire, such out-of-state entity and its employees and volunteers shall have all the same liability limitations to which a New Hampshire entity, police officer, firefighter, or emergency services worker would be entitled under New Hampshire laws.

2 Effective Date. This act shall take effect upon its passage.

HB 417, relative to reimbursement of fees and out-of-pocket expenses associated with estate administration. **INEXPEDIENT TO LEGISLATE.**
Rep. David Woodbury for Judiciary. This bill seeks to require a ruling on payment of fees and expenses to administrators or executors within 90 days of the request to the court. This does not seem to be a problem in the probate division and could, if enacted, cause premature disbursement of estate funds. Vote 18-0.

HB 193, relative to utility assessments for the use of village district roads. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James E. Coffey for Municipal and County Government. This bill ensures that when a municipality receives payment for the use of its roads by a public utility that the municipality is the owner of the road or right of way. This bill prevents towns from charging for the use of roads owned by a village district and requires that any fees or taxes go to the municipality that owns the road. Vote 18-0.

Amendment (0363h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Village District; Commissioner's Duties; Roads. Amend RSA 52:3-a by inserting after paragraph II the following new paragraph:

III. No town or city shall levy any fee or collect any tax for the use by any utility of roads maintained by a village district under RSA 52:1, I(m), except on the vote of the village district commissioners for remittance to the village district.

HB 199, relative to tax relief information contained on a property tax bill. **INEXPEDIENT TO LEGISLATE.**
Rep. Marjorie A. Porter for Municipal and County Government. This bill requires municipalities to add a reference to the low and moderate income homeowners property tax relief program to the information on a local property tax bill. Although the bill is well-intentioned, the committee had several concerns. The low and moderate income tax relief program only applies to the state-wide property tax, and not local property taxes. Those applying for the program apply to the state, not the local municipality. It was felt that including references to a state program on the local bill would cause confusion for the taxpayer, and may set an unfortunate precedent for the future. Vote 12-4.

HB 227, relative to eminent domain on public lands. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James P. Belanger for Municipal and County Government. This bill, as amended, provides a non-binding vote to accept or reject the taking of public land in easements by eminent domain as a result of state or federal permissions. Although non-binding, it provides an opportunity for the municipality to negotiate with the "taker" with the possibility of an agreement such as exchange of land or some other compromise. Vote 18-0.

Amendment (0362h)

Amend RSA 371:25 as inserted by section 1 of the bill by replacing it with the following:

371:25 Land Acquired With Public Funds and Donated Land. Whenever any party, having power of eminent domain or not, seeks to violate the covenants and conservation easements or both, placed on land which has been acquired with public funds or land which has been donated to a public entity, the proposal shall require the approval of the legislative body of the affected municipality or unincorporated place. No lands or rights of way or easements shall be taken by eminent domain without the approval of the affected legislative body as evidenced by a vote of the affected legislative body, at a duly called special or regular meeting of the legislative body. This subdivision shall not apply to state-owned lands.

HB 233, relative to local approval of mining activity. **OUGHT TO PASS.**
Rep. Ken S. Peterson for Municipal and County Government. This bill clarifies the scope of local approval requirements for mining activity, and also modifies some requirements for pre-application meetings. The statement that pre-application meetings and documentation are not public information has been removed, and a requirement has been inserted to provide notice of the pre-application meeting for public comments on the potential application. The local approval mining permit ordinance as noted in RSA 12-E:4, IV must be consistent with this chapter unless it attempts to impose a less stringent standard or requirement than those already established in the chapter. Vote 18-0.

HB 250, relative to requirements for perambulation of town lines. **INEXPEDIENT TO LEGISLATE.**
Rep. Keith Ammon for Municipal and County Government. This bill as amended, attempts to eliminate the age old practice of perambulation of town lines because of new advancements in GPS and electronic surveillance equipment like drones and; "because it has become too hard and is being ignored by selectmen anyway." Perambulation is the act of walking the town line with selectmen, or their designees, from adjoining towns and agreeing to the location of town property lines. Even using surveying grade GPS equipment brings one to the approximate location of a town bound and does not verify if the bound is still there or in need of replacement. It also does not show if recent development has encroached on town lines. Many instances were brought to the committee's attention where, after perambulation, property and even homes were found to be in a different town than what the tax maps showed. The fact that selectmen are not diligent in having this done is no excuse to eliminate it. The period of time between perambulations and imposing penalties for ignoring the statute might be a subject for change but the act of agreeing with your neighbor as to where your property lines are should not be eliminated. The notion that some selectmen are not physically capable of doing the perambulation was brought up but this is no different today than it was 100 years ago. Vote 14-2.

HB 257, relative to amending municipal charters. **INEXPEDIENT TO LEGISLATE.**
Rep. Bruce L. Tatro for Municipal and County Government. This bill would move the municipal elections to the same time as state and national elections. The secretary of state stated doing this will further complicate elections and would cause more confusion of voters and cause long times in the voting booth. Vote 14-0.

HB 268, establishing a committee to study the adoption of low-impact housing development standards by the department of environmental services. **OUGHT TO PASS.**
Rep. Marjorie A. Porter for Municipal and County Government. This bill came as a request of the commission on housing policy and regulation established in 2013. This commission was tasked with examining state regulations having to do with housing development and to identify areas where problems might exist that impede housing development throughout the state. The commission discovered there were some inconsistencies between the standards DES requires for low-impact development and those being required by local authorities. This has caused confusion and delays for developers. HB 268 establishes a committee to study the issue and to suggest resolutions. Vote 15-3.

HB 277, relative to the policy for acceptance of grants by county conventions. **INEXPEDIENT TO LEGISLATE.**
Rep. Chris Brown for Municipal and County Government. This bill mandated that a grant committee be established by each county to review grants prior to their acceptance. Currently counties are free to establish their own processes in the regard. This seemed to us to be fixing procedures in many counties that were not broken. It was not clear to us that a grant committee is inherently an improvement over existing systems of oversight and review. Counties should continue to have flexibility in performing their duties and resolving their own differences when they arise. Vote 16-0.

HB 289, relative to the content of annual town reports. **INEXPEDIENT TO LEGISLATE.**
Rep. Ken S. Peterson for Municipal and County Government. This bill would mandate that all municipalities with a population between 500 and 15,000 inhabitants include in their annual town report municipal building energy consumption statistics for the year. The bill's author acknowledged that the stated population numbers were purely arbitrary. This would not be enabling legislation, but a requirement directed by the state to these communities. It was felt that a directive by the state forcing towns to make another ancillary written report was not in the spirit of the NH philosophy of government. Vote 13-2.

HB 313, relative to municipal elections. **INEXPEDIENT TO LEGISLATE.**
Rep. Benjamin L. Tilton for Municipal and County Government. This bill permits cities to hold municipal elections on biennial election day. The majority of the committee agreed that the bill would create unintentional consequences. The first would be unacceptable wait times to vote. The second would be an increase of incomplete and inaccurate ballots caused by the increased items to vote on. The secretary of state's office testified that, as proven in the 1984 election, the more issues to vote on in the booth, the longer it takes and causes lines to vote and voters give up and leave without voting. They also vote for state issues and ignore the local issues. Vote 16-1.

HB 331, relative to absences among selectmen on election day. **OUGHT TO PASS.**
Rep. David A. Bickford for Municipal and County Government. This bill allows selectmen to designate someone to take their place during elections. The Attorney General has interpreted the constitution and now requires a quorum of the board of selectmen be present at elections for the entire day, which is very difficult for selectmen, they have to work. This bill will make public service easier for our citizens to participate in. Vote 16-0.

HB 335, relative to the disposition of rangeways. **INEXPEDIENT TO LEGISLATE.**
Rep. James E. Coffey for Municipal and County Government. This bill addresses a problem that was addressed in 2008 by HB 1491. Rangeways are long narrow strips of land, which were reserved usually for roads on colonial period plans of some towns. There is no present problem with "rangeways" and most issues were resolved during the nineteenth century. The committee studied the subject and concluded that nothing was needed to be done at this time. Vote 18-0.

HB 339, relative to transfer station income. **INEXPEDIENT TO LEGISLATE.**
Rep. Marjorie A. Porter for Municipal and County Government. This bill would allow the local governing body of a municipality to transfer surplus funds from the reclamation trust fund to the capital reserve fund, and then expend those funds without having to get the approval of the legislative body at town meeting. This would circumvent the intent of trust funds as outlined in the current RSAs, which always requires legislative approval to withdraw and expend. Although the money spent in this way would be reported to the town after the fact, the committee felt this was not a wise course of action. Vote 16-0.

HB 348, allowing municipalities to adopt a property tax credit for elderly homeowners for the extent their tax bill exceeds 10 percent of income. **INEXPEDIENT TO LEGISLATE.**
Rep. Marjorie A. Porter for Municipal and County Government. This bill would allow municipalities to adopt a property tax credit for elderly homeowners such that the tax would not exceed 10% of their income. Property taxes do weigh heavily on the elderly, and the committee was sympathetic to the intention of this bill. However, the implementation would prove problematic and unwieldy for municipalities. Unlike states with an income tax, NH has no database of personal income, which towns could use to help make the 10% determination; town officials would be required to delve into each applicant's personal finances in order to do so. Municipalities already have the ability to help their elderly citizens via an elderly exemption, and the DRA reports every municipality in the state has adopted some form of elderly exemption for property taxes. Vote 17-0.

HB 444-L, exempting certain long-term residents from local school taxes. **INEXPEDIENT TO LEGISLATE.**
Rep. Chris Brown for Municipal and County Government. This bill exempts any person from paying school district taxes who has paid said taxes for 36 consecutive years or longer in New Hampshire. Our committee has been presented with many bills this session concerning property tax relief. None of them are without merit. On the other hand enacting any of them creates new inequities as it seeks to rectify existing inequities. The 36 consecutive year provision, however compelling, excludes many situations that could be equally or more deserving. Not the least of which is that it does not address one's ability to pay, an issue that effects many, but not all, older property owners. The bill also opens the door to arguments that only those with children in school should be paying for public schools. All of our citizens benefit from public schools and must share in it's cost. Vote 17-1.

HB 451, relative to local approval of mining permits. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Franklin W. Sterling for Municipal and County Government. The purpose of this amended bill is to give local planning boards the authority to review and act on mining activity on sites of 5 acres or less. Current law does not allow for site plan review of such activity, granting local control is a desirable goal. Vote 17-0.

Amendment (0435h)

Amend RSA 12-E:5, I as inserted by section 3 of the bill by replacing it with the following:

I. Upon filing of a permit application or an application for an amended permit, the operator shall publish notice of such application in a newspaper in general circulation of each county wherein the affected land lies at least once each week for 2 successive weeks after filing the application. The operator shall notify landowners within 1/2 mile of the proposed permit area in writing of the

application and shall file a copy of the mining and reclamation plan, or amended plan with the town clerk or city solicitor of the town or city wherein the land lies. ***If the mining activities are exempt under RSA 12-E:1, IX(a) the town or city planning board shall review the plan under the municipality's site plan review regulations if the municipality has adopted such regulations.***

HB 486, authorizing towns and cities to establish special assessment districts. **OUGHT TO PASS.** Rep. Clyde J. Carson for Municipal and County Government. Special assessment districts provide municipalities with a new way to finance capital projects for a specific group of property owners. In many ways special assessment districts are similar to village districts, but without the requirement and overhead of a governing body. You might call it village district light. A special assessment district could be established to finance public facilities benefiting a defined group of properties for purposes such as parking garages, extension of telecommunications, renewable energy projects, etc. A similar bill was introduced in the last legislative session and came before the Municipal and County Government Committee. The committee liked the concept, but felt the details of the bill needed work. The bill went to interim study and HB 486 is the result. A special assessment district starts with a petition to the governing body from a group of property owners representing at least 50% of the lots and 65% of the assessed value in the proposed district. The petitioners define the boundaries of the district along with the proposed improvement plan. The bill provides for notification of all property owners included in the district as well as a public hearing. The governing body has the authority to approve the district. The cost for the improvements are recovered through an assessment on the property tax bills within the district. The district would be dissolved once cost of the improvements had been repaid. Vote 16-0.

HB 487, requiring that planning board and zoning board of adjustment members be elected. **INEXPEDIENT TO LEGISLATE.**
Rep. James P. Belanger for Municipal and County Government. This bill requires that planning board and ZBA members be elected instead of appointed. That option exists now at a municipality's option. This bill would mandate it. Many good, qualified people are willing to serve but will not compete in an election process. An elected member who does not perform or attend is almost impossible to replace while that is not the case with an appointed member. Vote 16-1.

HB 497, relative to interference with a cemetery burial plot. **OUGHT TO PASS.**
Rep. Catherine Cheney for Municipal and County Government. This bill addresses an important issue where an ascendant survives and would like to relocate their relative's remains. Currently, only descendants have that permission. When someone passes before his/her time, earlier generations in the family should be able to authorize moving remains. The sponsor verified all related RSAs and contacted the New Hampshire Cemetery Association. There is no conflict or objections. Vote 17-0.

HB 524-FN-L, relative to the calculation of default budgets. **INEXPEDIENT TO LEGISLATE.**
Rep. James E. Coffey for Municipal and County Government. This bill looks to change the formula for SB 2 towns and school districts for the default budget from the prior year's budget to 98% of the prior year's expenditure. The committee realized that this amount cannot be calculated in time for the annual meeting. It was also observed that using a percentage of actual expenditure would encourage unnecessary spending. Vote 16-1.

HB 607, relative to fees for carrying a concealed firearm. **OUGHT TO PASS.**
Rep. David A. Bickford for Municipal and County Government. This bill places resident concealed firearm license fees into the issuing town's general fund. Non-resident license fees already go into the state's general fund that are issued by state police. This change coincides with that rather than having the fee go to a law enforcement department. The bill recognizes that the law names selectmen, mayors, police and designees to issue permits. Vote 15-2.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property. **OUGHT TO PASS.**
Rep. Keith Ammon for Municipal and County Government. This bill would entitle those chartered public schools which are already exempt from property taxation, but which lease their facilities from an owner who is not exempt, to a rebate of the portion of the lease that pays for the property taxes. Other public and private schools currently receive property tax exemptions. Rebating property taxes to chartered public schools paying leases provides a level playing field for all schools. Vote 16-1.

HB 111, relative to land retained by the state. **INEXPEDIENT TO LEGISLATE.**
Rep. Judith T. Spang for Resources, Recreation and Development. By statute, lands retained by the state are "acquired to be held forever." A 5-acre parcel in Bradford was so reserved to protect the iconic Bradford Pines. The town fire department requested 20% of this land be removed for their use. However, the committee did not receive a letter of support from the selectmen, a consistent plan of what the use would be, or a compelling public need for it. Vote 14-0.

HB 306, relative to membership of the wetlands council and the water council. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Judith T. Spang for Resources, Recreation and Development. The wetlands and water councils are charged with advising the commissioner of the department of environmental services on state policies relating to wetlands and shorelands respectively, and principally to hear administrative appeals from department decisions. The councils have been experiencing problems with achieving a quorum because certain member departments find that the issues being acted upon are outside their area of concern. Removing those members will address this problem. The amendment adds two new members to the water council, one to represent lakes and one to represent rivers, to whom the work of the council will be more relevant. Both the NH Rivers Council and the NH Lakes Association have affirmed that they will nominate members who will be committed to participating actively. Vote 13-0.

Amendment (0133h)

Amend RSA 21-O:5-a, I as inserted by section 1 of the bill by replacing it with the following:

I. There is established a wetlands council for the purpose of implementing the provisions of law conferring on the department authority to decide matters relative to resources of the state, including, but not limited to, excavating, dredging, and filling waters of the state as well as activities occurring within the state's regulated shoreland under RSA 483-B. Appointees and officials shall have voting rights as members of the wetlands council; provided, however, that nothing in this section shall be construed as affecting other duties of the department with reference to dams, water levels, and administration of the department of environmental services. The wetlands council shall be composed of the following:

(a) The executive director of the department of fish and game or designee.
(b) The commissioner of transportation or designee.
(c) The commissioner of resources and economic development or designee.
(d) The director of the office of energy and planning or designee.
(e) The commissioner of the department of agriculture, markets, and food, or designee.
(f) [~~The commissioner of safety or designee.~~
~~(g)~~] Eight members of the public appointed by the governor and council for a term of 3 years or until a successor is chosen. One of these shall be a member of a municipal conservation commission at the time of appointment, and be one of 3 nominees submitted by the New Hampshire Association of Conservation Commissions; one shall be a supervisor, associate supervisor, former associate supervisor, or former supervisor, of a conservation district at the time of appointment, and be one of 3 nominees submitted by the New Hampshire Association of Conservation Districts; one shall be [~~an elected~~] ***a*** municipal official ***other than a member of the conservation commission*** at the time of appointment, and be one of 3 nominees submitted by the New Hampshire Municipal Association; one shall be a natural resource scientist and be one of 3 nominees submitted by the New Hampshire Association of Natural Resource Scientists; one shall be a member of the construction industry and be one of 3 nominees submitted by the Associated General Contractors of New Hampshire; one shall be a member of the marine industry and be one of 3 nominees submitted by the New Hampshire Marine Trades Association; one shall have experience in environmental protection and resource management at the time of appointment and be one of 4 nominees submitted, 2 each, by the New Hampshire Audubon Society and the Society for the Protection of New Hampshire Forests; and one shall be a farm or forest landowner and be one of 2 nominees submitted, one each, by the New Hampshire Farm Bureau Federation and the New Hampshire Timberland Owners Association. One member of the council shall be elected annually as chairperson by the members of the council.

Amend the introductory paragraph of RSA 21-O:7, I as inserted by section 2 of the bill by replacing it with the following:

I. There is established a water council which shall consist of [~~16~~] ***15*** members:

Amend RSA 21-O:7, I(a) as inserted by section 2 of the bill by replacing it with the following:

(a) [~~Eleven~~] ***Thirteen*** of the members shall be public members appointed by the governor, with the consent of the council, who shall serve for terms of 4 years. Of these members, 2 shall represent the industrial interests of the state; one shall represent the vacation home or private recreational interests of the state; one shall represent the agricultural interests of the state; one shall be an employee of any municipal or privately-owned waterworks in the state; one shall be a representative of the septage hauling industry, nominated by the New Hampshire Association of Septage Haulers; one shall be a member of a statewide nonprofit conservation or environmental organization; one shall be a treatment plant operator; [~~and~~] one shall be a designer or installer of septic systems, nominated by the Granite State Designers and Installers Association***; one shall represent New Hampshire rivers, nominated by the New Hampshire Rivers Council, and one shall represent New Hampshire lakes, nominated by the New Hampshire Lakes Association***. The 2 remaining members shall be appointed and commissioned respectively as the chairman and vice chairman of the council;

HB 565-FN, relative to banning the use of boats on certain waters with a confirmed exotic aquatic species infestation. **INEXPEDIENT TO LEGISLATE.**
Rep. Carol M. McGuire for Resources, Recreation and Development. This well-intentioned bill attempts to limit the spread of milfoil and other invasive weeds by authorizing the commissioner of environmental services to quarantine infested waters by banning boats there. However, there is existing statutory authority to establish "restricted use areas" that has much the same effect, and HB 565 is unenforceable as written. HB 667, also addressing the spread of invasive weeds and currently in committee, has a more narrowly focused approach that should be as effective, with fewer unintended consequences and at much less expense. For these reasons, the committee agreed that HB 565 should not go forward. Vote 14-0.

HB 209, repealing New Hampshire's atomic energy policy. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert A. Backus for Science, Technology and Energy. This bill, as introduced, would have repealed RSA 162-B as archaic, out of date and also as setting an energy priority inconsistent with current New Hampshire law. After hearing testimony that some portions of the law were still considered relevant to certain users of radioactive isotopes, the bill was amended substantially. However, various stakeholders and members of the committee still found issues with the proposed wording. Since the only purpose of the bill was to modernize a 1957 state statute having little current use, the committee felt, given the problems identified with the attempt to amend it, that the bill should be rejected and the existing statute left in force. Vote 20-0.

HB 234, relative to renewable portfolio standards. **INEXPEDIENT TO LEGISLATE.**
Rep. David K. Murotake for Science, Technology and Energy. This bill deletes electric renewable energy classes from the electric renewable portfolio standards. After consideration of testimony from stakeholders including agencies, utilities, commissions, and companies, the committee determined that the Renewable Electric Portfolio Standards (RPS) is net revenue positive for NH and its growing renewable energy businesses. The committee also determined that elimination of RPS class structure, which segregates a variety of different renewable energy generators (hydroelectric, solar, biomass, wind, geothermal) into separate classes, is essential, at least in the near term, to the continued survival of small businesses in the biomass, solar, and small hydroelectric industries. Elimination of the existing RPS class structures may well result in the failure of many small renewable energy businesses, which would be counter to the NH Energy Strategy, and bad for small energy businesses. Elimination of RPS classes, at least at this time, is Inexpedient to Legislate. Vote 19-0.

HB 252, relative to the divestiture of electrical generation facilities. **INEXPEDIENT TO LEGISLATE.**
Rep. David A. Borden for Science, Technology and Energy. The committee determined that HB 252 was not necessary as it interferes with a legislatively ordered proceeding that is underway at the Public Utilities Commission (PUC). PSNH (now Eversource Energy) emerged from electric utility restructuring in the early 2000s still owning some of its generation facilities, which has prompted discussion in the ensuing years as to whether restructuring should be completed with the divestiture of those plants. In 2013, the Legislative Oversight Committee on Electric Utility Restructuring formally took up the issue and concluded that the appropriate body to examine this complex economic issue and determine whether divestiture should occur was the PUC. Subsequently, HB 1602 was passed in 2014, which required the PUC to open a proceeding to determine if divestiture is in the

economic interests of PSNH ratepayers and, if so, authorized the PUC to order such divestiture. The proceeding is underway and the Public Utilities Commission will be submitting a progress report to the Legislative Oversight Committee on March 31. Besides interfering with this important proceeding, the bill would put into statute an unworkable standard for divestiture. Vote 20-0.

HB 342, relative to property owners' consent for smart meter gateway devices. **INEXPEDIENT TO LEGISLATE.**
Rep. Carolyn Halstead for Science, Technology and Energy. This is a bill that changes the definition of a smart meter gateway (which is the device inside the home that is used to monitor and control household devices and is protected from use by the utility companies) to include the demarcation meter used by all utilities. By doing this, it would now require all utilities to get the permission of the owner to have a utilities usage meter on their house. The utilities usage meter has traditionally been the demarcation point between what the utilities own and what a resident owns and has access to. The owner having the ability to choose the utility usage meter (potentially restricting all options) is fraught with problems. The utility companies are entitled to measure usage for billing purposes. The information on the smarter utility usage meters are already being regulated to insure that data breaches do not occur. Vote 20-0.

HB 345, requiring utilities to provide data to consumers explaining rates and rate increases. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael Vose for Science, Technology and Energy. This bill would require electricity suppliers to publish schedules showing their rates and prices and the data that supported those rates. It would also have prohibited customer disconnection for failure to pay. All these matters are being dealt with in greater detail in other legislation. Testimony from several sources suggested that bill had broad support. The Public Utilities Commission testified that it is preparing rules that deal with many of the issues described in this bill. Vote 20-0.

HB 360, relative to public utilities that fail to restore service within 3 days. **INEXPEDIENT TO LEGISLATE.**
Rep. James A. Parison for Science, Technology and Energy. This bill would set a fixed time limit of three days for a utility to restore service or be liable for damages. Currently the PUC has oversight responsibility pursuant to RSA 365, through Rule PUC 304.03 "Interruptions of Service." "(a) Each utility shall use all reasonable means within industry practices to avoid interruptions to service...(b) If an interruption to service occurs, the utility shall restore service within the shortest time reasonable, consistent with safety, and provide service on a 24-hour basis." Violators of PUC rules can be fined up to $250k. Testimony from stakeholders included concerns around local or regional events that may not trigger a state of emergency and where safe access to begin repairs may not be possible for several days. Readiness for such an eventuality would require much higher levels of staffing, an increased cost to be born by ratepayers. Also undefined in the bill was the extent of "damages" for which the offending utility might be liable. Given affected customers have a remedy in the PUC complaint process (RSA 365, PUC 204) the committee feels this proposal, however noble in its simplicity, lacks a provision for extenuating circumstances that the current "reasonable" language affords. Vote 20-0.

HCR 4, urging Congress to adopt a policy ending the use of a backward American Flag on military uniforms. **OUGHT TO PASS.**
Rep. Alfred P. Baldasaro for State-Federal Relations and Veterans Affairs. The committee finds the use of a backward American flag on military uniforms to be contrary to, and in violation of the US Flag Code, Title 4, Subsections 7, 8 and 10, the display of the flags is meticulously outlined and never allows for the symbol of our country to be displayed backward anywhere. Furthermore, we find that in 2005, the secretary of the army overstepped his authority in ordering the display of a backward flag to be affixed to the US Army uniform. While adding a true representation of the American flag to a military uniform is allowed under the flag code, a backward flag is not. Vote 13-1.

HCR 5, calling for an article V convention for the purpose of considering a countermand amendment to the United States Constitution. **INEXPEDIENT TO LEGISLATE.**
Rep. Peggy A. McCarthy for State-Federal Relations and Veterans Affairs. The legislation addresses creating Article 28, which restores state sovereignty in the constitutional republic by providing state legislatures countermand authority i.e., rescinding any congressional statute. The US Constitution provides a mechanism through the amendment process. Vote 13-0.

HCR 6, petitioning Congress for an Article V amendment convention. **INEXPEDIENT TO LEGISLATE.**
Rep. Peggy A. McCarthy for State-Federal Relations and Veterans Affairs. This bill calls for an Article V Convention for the purpose of proposing a balanced budget amendment to the Constitution of the United States of America. Other pending legislation, if passed, will accomplish the same goal. This bill did not receive adequate support from the committee and the majority voted HCR 6 Inexpedient to Legislate. Vote 13-0.

HR 11, requesting the National Oceanic and Atmospheric Administration and Congress to relax rules on Atlantic states recreational fishing. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Elizabeth Edwards for State-Federal Relations and Veterans Affairs. The public hearing was packed with recreational fishermen and the small business owners who cater to them who are harmed by NOAA's restrictions on recreational fishing. NOAA's restrictions are an example of oppressive federal regulations, in this case destroying both simple pleasures and entire livelihoods derived from family businesses that have spanned generations. A resolution is the least we can do to stand up for New Hampshire citizens. Vote 13-0.

Amendment (0389h)

Amend the resolution by replacing the third paragraph after the resolving clause with the following:

That copies of this resolution be sent by the house clerk to the National Oceanic and Atmospheric Administration, to the United States Secretary of Commerce, and to each member of the New Hampshire congressional delegation.

HB 310, relative to reporting the destruction of motor vehicles. **OUGHT TO PASS.**
Rep. Werner D. Horn for Transportation. This bill simplifies and avoids duplicate reporting of vehicles that are crushed or otherwise junked, and serves the primary purpose of preventing and detecting vehicle theft. This bill is supported by the department of safety. Vote 15-0.

HB 453, relative to special number plates for circuit court judges. **INEXPEDIENT TO LEGISLATE.**
Rep. Bruce E. Hodgdon for Transportation. The committee heard no testimony from judges asking for this plate. There was no need for this bill. Vote 14-1.

HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax. **OUGHT TO PASS.**
Rep. Susan W. Almy for Ways and Means. Revenue Administration is forbidden to share information about taxpayers with a few specific exemptions. This bill adds the liquor commission only for purposes of their enforcement of the tobacco tax. Secondly, the bill clarifies the law adjusting the business enterprise tax floor biennially for inflation. Vote 18-0.

HB 222-FN, exempting certain homeowners over 80 years of age from the statewide education tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Brian S. Gallagher for Ways and Means. This well intended bill would require that a homeowner who is over 80 years of age and who has lived in his or her homestead for at least 5 years shall be exempt from the statewide education tax. The committee felt that since there was no income limit set in this bill and due to the fact that cities and towns already provide graduated property tax benefits to help compensate homeowners, this additional property tax benefit is not warranted. Vote 19-0.

HB 550-FN, relative to administration of the tobacco tax. **OUGHT TO PASS.**
Rep. John J. Manning for Ways and Means. This bill, at the request of the Department of Revenue Administration makes a number of technical and clarifying changes to RSA 78, Tobacco Tax Laws, which include clarifying activities constituting unauthorized sales of tobacco products, and other reporting information to the taxpayers records. Vote 19-0.

HB 558-FN, establishing a clean water tax credit. **INEXPEDIENT TO LEGISLATE.**
Rep. Patricia T. Lovejoy for Ways and Means. This bill attempts to set up another business tax credit program. Proceeds would be directed to non-profit environmental organizations, which would award grants to homeowners for replacing or upgrading septic systems. The provisional program is overly broad and there were too many unanswered questions. Vote 19-0.

REGULAR CALENDAR

CACR 1, relating to taxation. Providing that a 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principal of all state bonds. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Robert L. Nigrello for the Majority of Ways and Means. This bill would be the first step in approving a constitutional amendment to require a 3/5 vote of the House of Representatives and the Senate to pass a new or increased tax or fee or to authorize the issuance of state bonds. The majority of the committee believes the current practice of majority rule has served the house and senate well since their incorporation. The NH legislative branch has a robust and transparent process to decide the fate of all legislation. Legislators are mindful of the effects on our constituents when seeking new taxes or for raising existing taxes. New Hampshire is ranked number 7 in the country by the Tax Foundation for business tax climate. Requiring a 3/5 vote for all taxes, fees and bond issuances, would be an undue burden to effectively manage the finances of the state. Vote 18-1. Rep. Jordan G. Ulery for the Minority of Ways and Means. For far too long the general court has passed tax bills with little or no regard to the real need for the tax. All this bill does is assure that when a tax increase is warranted 60% of the membership agrees. This type of legislation returns the power to the people to pay their taxes, not limiting the imposition of taxes and license fees by political whim.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. William O'Brien spoke against.
Rep. Hess spoke in favor.
Rep. Ulery spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 226 - NAYS 128

YEAS - 226

BELKNAP

Fields, Dennis	Hurt, George	Tilton, Franklin	

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Ford, Susan
Gionet, Edmond	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Brown, Pamela	Byron, Frank
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Danielson, David

DiSilvestro, Linda
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gorman, Mary
Haefner, Robert
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Infantine, William
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Francese, Paula
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Sytek, John
Ward, Gerald
Ward, Joanne
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Laware, Thomas
O'Hearne, Andrew
Schmidt, Andrew

NAYS - 128

BELKNAP

Aldrich, Glen
Dumais, Russell
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
Nelson, Bill
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Duane Darrow, Stephen Hennessey, Erin Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher Ammon, Keith Boehm, Ralph Bouldin, Amanda
Burt, John Christiansen, Lars Christie, Rick Coffey, James
Donovan, Daniel Eastman, Eric Edelblut, Frank Edwards, Elizabeth
Estevez, Eric Ferreira, Elizabeth Fromuth, Bart Gould, Linda
Goulette, William Griffin, Barbara Halstead, Carolyn Hinch, Richard
Hogan, Edith Hopper, Gary Lachance, Joseph LeBrun, Donald
Marston, Dick McClarren, Donald McLean, Mark Moore, Josh
Murotake, David Murphy, Keith Notter, Jeanine O'Brien, William
Ober, Lynne Ober, Russell Ohm, Bill Palmer, Barry
Parison, James Peterson, Ken Rice, Kimberly Sanborn, Laurie
Schleien, Eric Seidel, Carl Simmons, Tammy Smith, Gregory
Sullivan, Victoria Twombly, Timothy Ulery, Jordan Zaricki, Nick

MERRIMACK

Brewster, Michael French, Harold Hill, Gregory Hoell, J.R.
Horn, Werner Kuch, Bill Martin, John McGuire, Carol
McGuire, Dan Parent, Jason Seaworth, Brian

ROCKINGHAM

Abramson, Max Baldasaro, Alfred Bates, David Bush, Carol
Chirichiello, Brian Cook, Allen Duarte, Joe Emerick, J. Tracy
Fesh, Robert Friel, William Gannon, William Gordon, Richard
Harris, Jeffrey Hodgdon, Bruce Itse, Daniel Kappler, Lawrence
Kellogg, Shem Lundgren, David Oligny, Jeffrey Osborne, Jason
Prudhomme-O'Brien, Katherine Rice, Frederick Schroadter, Adam Spillane, James
Thomas, Douglas True, Chris Tucker, Pamela Vose, Michael
Webb, James Weyler, Kenneth Wood, David

STRAFFORD

Beaudoin, Steven Cheney, Catherine Groen, Warren Hannon, Joseph
Jones, Laura Kaczynski, Jr., Thomas Knowles, Robert Leeman, Don
Pitre, Joseph Turcotte, Leonard Wuelper, Kurt

SULLIVAN

Bridge, Ernest Rollins, Skip Smith, Steven

and the majority committee report was adopted.

HB 350, establishing a commission to study the impacts of the property tax on New Hampshire's residents, businesses, municipalities, and the economy. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joseph R. Lachance for the Majority of Ways and Means. Specifically, this bill would create a property tax study commission mandating a comprehensive study of how New Hampshire's property taxes are designed, implemented or whether taxes in their current form promotes or hinders the economic well-being in our state. The property tax is an essential part of the diversified source of revenue in New Hampshire. The pros and cons of the argument of the property tax are well known. The committee questioned what further knowledge would be gained through a study commission. The committee felt specific bills dealing with property tax legislation being filed would be a more appropriate approach to decide possible changes. Vote 13-6.

Rep. Paul J. Henle for the Minority of Ways and Means. In 2013, 63 cents of every $1 raised through taxation in New Hampshire was raised through the property tax. No other state in the union comes close to being so reliant on one tax. Since we have put all of our eggs in this one basket, it would behoove us to know as much as we can about this tax – but we don't. For many of our businesses the property tax is the biggest tax they pay. What impact does it have on the decisions they make? The minority believes it is applied unequally, but do we know just how unequally? How many taxpayers pay 1% or 10% of their income in property taxes? How many NH citizens have to leave our state when they retire? What effect does current use have? Does the property tax influence land use decisions? We know it skews real estate values, but by how much? What can be done to address these problems? We have a hodge podge of band-aids including elderly and veteran abatements, TIF districts and low-income assistance, but are there other options we should explore? Perhaps circuit breakers would help. What about homestead exemptions? What about other ways of assessing, or taxing different types of real estate differently?

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Rebecca Brown spoke against.
Rep. Lachance spoke in favor.
Rep. Spang requested a roll call; sufficiently seconded.

YEAS 213 - NAYS 143

YEAS - 213

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin
Tatro, Bruce			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Almy, Susan	Bailey, Brad	Brown, Duane	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Johnson, Eric	Ladd, Rick
Piper, Wendy			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Byron, Frank	Christensen, Chris
Christie, Rick	Coffey, James	Danielson, David	Donovan, Daniel
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Long, Patrick	Marston, Dick	McCarthy, Peggy	McClarren, Donald

McLean, Mark
Notter, Jeanine
Ohm, Bill
Pierce, David
Rowe, Robert
Shattuck, Gilman
Smith, Timothy
Ulery, Jordan
Moore, Josh
O'Brien, William
Parison, James
Proulx, Mark
Sanborn, Laurie
Silva, Peter
Straight, Phillip
Walsh, Robert
Murotake, David
Ober, Lynne
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Simmons, Tammy
Sullivan, Victoria
Wolf, Terry
Murphy, Keith
Ober, Russell
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Smith, Gregory
Twombly, Timothy
Zaricki, Nick

MERRIMACK

French, Harold
Kotowski, Frank
McGuire, Carol
Walsh, Thomas
Hess, David
Kuch, Bill
McGuire, Dan
Hoell, J.R.
Marple, Richard
Parent, Jason
Horn, Werner
Martin, John
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Cardon, G. Thomas
DeSimone, Debra
Elliott, Robert
Friel, William
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
McKinney, Betsy
Oligny, Jeffrey
Peckham, Michele
Rice, Frederick
Sweeney, Joe
Tucker, Pamela
Welch, David
Allen, Mary
Bates, David
Chase, Francis
Devine, James
Emerick, J. Tracy
Gannon, William
Hagan, Joseph
Introne, Robert
Kellogg, Shem
McMahon, Charles
Osborne, Jason
Potucek, John
Sanders, Elisabeth
Sytek, John
Vose, Michael
Weyler, Kenneth
Azarian, Gary
Belanger, Ronald
Chirichiello, Brian
Doucette, Fred
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Major, Norman
Nigrello, Robert
Packard, Sherman
Priestley, Anne
Schroadter, Adam
Thomas, Douglas
Ward, Joanne
Woitkun, Steven
Baldasaro, Alfred
Bush, Carol
Cook, Allen
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Matthews, Carolyn
O'Connor, John
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Webb, James
Wood, David

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Leeman, Don
Wall, Janet
Cheney, Catherine
Jones, Laura
Mullen, John
Wuelper, Kurt
Gray, James
Kaczynski, Jr., Thomas
Pitre, Joseph
Groen, Warren
Knowles, Robert
Turcotte, Leonard

SULLIVAN

Bridge, Ernest
Schmidt, Andrew
Grenier, James
Smith, Steven
Laware, Thomas
Rollins, Skip

NAYS - 143

BELKNAP

Spanos, Peter

CARROLL

Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Pearson, William
Sad, Tara
Ames, Richard
Eaton, Daniel
Phillips, Larry
Shepardson, Marjorie
Berch, Paul
Ley, Douglas
Roberts, Kris
Tilton, Benjamin
Bordenet, John
Parkhurst, Henry
Robertson, Timothy
Weber, Lucy

COOS

Froburg, Alethea
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard	Bennett, Travis	Brown, Chris	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Brown, Pamela	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	DiSilvestro, Linda	Eastman, Eric	Edwards, Elizabeth
Freitas, Mary	Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Jack, Martin
Jeudy, Jean	Leishman, Peter	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Palmer, Barry
Porter, Marjorie	Roberts, Carol	Rokas, Ted	Rosenwald, Cindy
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hill, Gregory	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
Kidder, David	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane		

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	Lundgren, David
McBeath, Rebecca	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
O'Hearne, Andrew			

and the majority committee report was adopted.
Rep. Hill voted Nay and intended to vote Yea.

HB 390-FN, relative to stop loss insurance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura M. Jones for the Majority of Commerce and Consumer Affairs. This bill would change the group size for purposes of stop loss insurance. Current law sets the annual aggregate attachment point for groups of 50 or fewer employees at 120 percent of expected claims, and for groups of 51 or more employees at 110 percent of expected claims. This bill would set the attachment point of 120 percent to groups of 100 or fewer employees. Therefore, the change in required reserves would affect employers who self-insure that have between 51 and 100 employees. According to the New Hampshire Insurance Department, there are an estimated 58 employers of this size who would be affected. The extra 10 percent of required risk assumed by these employers, in order to remain self-insured, would average an additional $50,000 in required reserves, according to the

Self-Insurance Institute of America. The provision of the Affordable Care Act (ACA) that increases the size of small groups to 100 employees in 2016 is not applicable to self-insurance. There are no documented problems with the fully insured market that would warrant this additional constraint upon our business community, and this legislation could take away their current insurance plans, eliminating an important health plan option. In addition, this suggested change is not based on any national model legislation, such as legislation developed by the National Association of Insurance Commissioners, nor is any other state pursuing this type of legislation. Vote 11-8.
Rep. Edward A. Butler for the Minority of Commerce and Consumer Affairs. Stop loss insurance protects employers who self-insure. Above a certain risk amount, stop loss kicks in and protects against large or catastrophic loss. The Affordable Care Act (ACA) requires that the definition of small group change in 2016 from 50 to 100. This is being done, at least in part, to bolster the fully insured small group market. The reason that the insurance department requested this change, to require that stop loss insurance follow this change in size at the state level, is to help protect the fully insured market. An analysis of stop loss options requested by the insurance department in 2012 notes: "If too many healthy small groups leave the rate regulated risk-based market...rates for those left in the small group insurance market could spike, ultimately destabilizing the market overall..." The minority believes that protecting the affordability of healthcare insurance is critical and believes that this request from the insurance department is reasonable.

The question being adoption of the majority committee report of Inexpedient to Legislate.
On a division vote, 216 members having voted in the affirmative and 135 in the negative, the majority committee report was adopted.

HA 1, for the removal of certain state officials in the department of education. **INEXPEDIENT TO LEGISLATE.**
Rep. Mary Stuart Gile for Education. This house bill of address requests the removal of Virginia Barry, commissioner of education and Paul Leather, deputy commissioner of the department of education. The majority of the committee agreed that causes identified as reasons for removal reflected serious misunderstandings. Both the commissioners and the deputy commissioner promote and support New Hampshire as a local control state and neither has exceeded their responsibilities as outlined by the New Hampshire Constitution. Vote 14-5.

MOTION TO LAY ON THE TABLE

Rep. Lars Christiansen moved that **HA 1,** for the removal of certain state officials in the department of education, be laid on the table.
Rep. Lars Christiansen requested a roll call; not sufficiently seconded.
On a division vote, 75 members having voted in the affirmative and 285 in the negative, the motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate.
Rep. Lars Christiansen spoke against.
Rep. Gile spoke in favor and yielded to questions.
Committee report adopted.

HB 116, relative to the renomination of teachers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Glenn Cordelli for the Majority of Education. This bill reduces the current time of 5 years to 3 years for the renomination of teachers. With the massive ongoing changes in our schools, schools often require longer than 3 years to determine if a teacher should be renominated. It will often be to the teachers benefit to have a longer time to improve. Poor teachers can be terminated at any time. The majority believes current statute protects teachers and schools. Vote 14-7.
Rep. Mary Heath for the Minority of Education. The minority believes three consecutive years is sufficient time to award a continuing contract for educators. A continuing contract does not denote tenure and allows practicing teacher's access to due process. Furthermore, until 2011 New Hampshire only required three years as it is in Vermont, Massachusetts and Maine. New Hampshire needs to recruit and retain the best and the brightest teachers for its classrooms. Passage of HB 116 would assist in that process. The percentage of New Hampshire's teachers leaving the classroom within the first 5 years is increasing; defeating HB 116 only exacerbates that percentage.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Heath spoke against.
Rep. Cordelli spoke in favor.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 218 - NAYS 145

YEAS - 218

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Parker, Harold	Schmidt, Stephen	Umberger, Karen
Wright, Ted			

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Phillips, Larry
Roberts, Kris	Sterling, Franklin		

COOS

Fothergill, John	Rappaport, Laurence	Rideout, Leon	Tholl, John

GRAFTON

Bailey, Brad	Brown, Duane	Brown, Rebecca	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Massimilla, Linda	Shackett, Jeffrey	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	McCarthy, Peggy	McClarren, Donald	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Seidel, Carl	Shaw, Barbara
Silva, Peter	Simmons, Tammy	Smith, Gregory	Straight, Phillip
Sullivan, Victoria	Takesian, Charlene	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	Ebel, Karen	French, Harold	Hess, David
Hill, Gregory	Hoell, J.R.	Kidder, David	Kotowski, Frank
Kuch, Bill	Luneau, David	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Chase, Francis	Chirichiello, Brian	Cook, Allen
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Friel, William	Gordon, Richard	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem
Lovejoy, Patricia	Lundgren, David	Major, Norman	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth
Schroadter, Adam	Spillane, James	Sweeney, Joe	Sytek, John
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Smith, Marjorie	Turcotte, Leonard	Verschueren, James	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 145

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Nelson, Bill
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Parkhurst, Henry
Pearson, William	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Bouldin, Amanda	Brown, Pamela
Cohen, Alan	Cornell, Patricia	DiSilvestro, Linda	Edwards, Elizabeth
Freitas, Mary	Gargasz, Carolyn	Goley, Jeffrey	Gorman, Mary
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McLean, Mark	McNamara, Richard

O'Brien, Michael	O'Neil, William	Porter, Marjorie	Roberts, Carol
Rokas, Ted	Rosenwald, Cindy	Shattuck, Gilman	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Horn, Werner
Karrick, David	Kenison, Linda	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane		

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gannon, William	Gordon, Pamela	Guthrie, Joseph	Heffron, Frank
McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Ward, Gerald			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
O'Hearne, Andrew	Schmidt, Andrew		

and the majority committee report was adopted.
Rep. Prudhomme-O'Brien voted Yea and intended to vote Nay.

HB 142, relative to student social media policies by education institutions. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ralph G. Boehm for Education. This bill protects students from educational institution access to their private social media accounts. School administration cannot force students to show their accounts without their permission, supply their account information or force a student to add school personnel to his/her social media. The amendment allows school districts to request information from parents in the case of a minor. This does not apply to school created social media accounts, whereby students and faculty may be members. The amendment was done to protect student's 4th and 5th amendment rights. This bill would apply to public or private schools, colleges, universities, or other institutions that offers students, participants, or trainees in an organized course of study or training that is academic, technical, vocational, trade-oriented, or designed to prepare a person for employment. Vote 16-4.

Amendment (1424h)
Amend RSA 189:70, I(d) as inserted by section 1 of the bill by replacing it with the following:
(d) Take or threaten to take any action against a student or prospective student to discipline or prohibit such student or prospective student from participation in curricular or co-curricular activities for refusal to disclose information or to take actions specified in subparagraphs (a)-(c).
Amend RSA 189:70, II(a) as inserted by section 1 of the bill by replacing it with the following:
(a) Conducting an investigation, without requiring or requesting access to a personal social media account through username, password, or other means of authentication, for the purpose of ensuring compliance with applicable law or educational institution's policies against student misconduct based on the receipt of specific information about activity associated with a student's social media account. In the case of a minor, the educational institution may request the student's parent or guardian to provide specific data from the student's social media account.

Amend RSA 189:70, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Educational institution" means a public or private school, college, university, or other institution that offers students, participants, or trainees an organized course of study or training that is academic, technical, vocational, trade-oriented, or designed to prepare a person for employment. "Educational institution" shall not include a military school.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Sylvia offered floor amendment (0597h).

Floor Amendment (0597h)

Amend RSA 189:70, I(d) as inserted by section 1 of the bill by replacing it with the following:

(d) Take or threaten to take any action against a student or prospective student to discipline or prohibit such student or prospective student from participation in any activity for refusal to disclose information or to take actions specified in subparagraphs (a)-(c).

Amend RSA 189:70, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Conducting an investigation, without requiring or requesting access to a personal social media account through username, password, or other means of authentication, for the purpose of ensuring compliance with applicable law or educational institution's policies against student misconduct based on the receipt of specific information about activity associated with a student's social media account.

Amend RSA 189:70, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Educational institution" means a public college, public university, or other institution that offers students, participants, or trainees an organized course of study or training that is academic, technical, vocational, trade-oriented, or designed to prepare a person for employment. "Educational institution" shall not include a military school, a nonpublic or private school, or a home school or home education program.

Rep. Sylvia spoke in favor.

Rep. Boehm spoke against.

Floor amendment (0597h) failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider its action whereby, on a voice vote, the House failed to adopt floor amendment (0597h) on **HB 142,** relative to student social media policies by education institutions.

On a division vote, 196 members having voted in the affirmative and 165 in the negative, the motion was adopted.

CONSIDERATION OF FLOOR AMENDMENT

The question now being adoption of floor amendment (0597h).

On a division vote, 112 members having voted in the affirmative and 249 in the negative, floor amendment (0597h) failed.

Committee report adopted and ordered to third reading.

REGULAR CALENDAR CONT'D

HB 206, relative to non-academic surveys or questionnaires given to students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Stuart Gile for the Majority of Education. This bill requires school districts to adopt a policy regarding student participation in non-academic surveys, or questionnaires. The bill further states that the policy require school districts to make such survey/questionnaires and their purpose available to students' parents/legal guardians at least 10 days prior to the distribution to students. The committee also supported that the students/parents/legal guardians, right to opt out of participating in non-academic surveys be included in the policy. Vote 17-4.

Rep. James Verschueren for the Minority of Education. The minority has no objection to parental notification. Had this bill limited its reach requiring that every school district have in place a policy to specify notification requirements, there would be no objection. The fault with this bill is that it unnecessarily tramples on the local authority of the school board to determine how best to meet the laudable objective of effective parental notification. Worse still, federal law already requires parental notification, rendering this law duplicative and unnecessary.

Majority Amendment (0410h)

Amend RSA 186:11, IX-d as inserted by section 1 of the bill by replacing it with the following:

IX-d. Require school districts to adopt a policy governing the administration of non-academic surveys or questionnaires to students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. The policy shall also allow a parent or legal guardian to opt out of the non-academic survey or questionnaire either in writing or electronically. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

Rep. Moore spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 246 - NAYS 114

YEAS - 246

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Spanos, Peter
Tilton, Franklin	Varney, Peter		

CARROLL

Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	McConnell, Jim	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

GRAFTON

Almy, Susan	Bennett, Travis	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Adams, Christopher	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Brown, Pamela	Byron, Frank
Christensen, Chris	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Flanagan, Jack	Freitas, Mary
Gargasz, Carolyn	Goley, Jeffrey	Gorman, Mary	Haefner, Robert
Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Infantine, William
Jack, Martin	Jeudy, Jean	Kurk, Neal	Lachance, Joseph
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	O'Neil, William	Ober, Lynne	Ober, Russell
Palmer, Barry	Peterson, Ken	Pierce, David	Porter, Marjorie

Proulx, Mark
Rowe, Robert
Smith, Timothy
Sullivan, Victoria
Wolf, Terry
Roberts, Carol
Sanborn, Laurie
Snow, Kendall
Twombly, Timothy
Woodbury, David
Rokas, Ted
Shattuck, Gilman
Soucy, Timothy
Walsh, Robert
Rosenwald, Cindy
Shaw, Barbara
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hirsch, Geoffrey
Kotowski, Frank
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Bartlett, Christy
Doherty, David
Gile, Mary
Karrick, David
Luneau, David
Myler, Mel
Rogers, Katherine
Turcotte, Alan
Bradley, Paula
Ebel, Karen
Henle, Paul
Kenison, Linda
MacKay, James
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Carson, Clyde
Frazer, June
Hess, David
Kidder, David
Martin, John
Ratzki, Mario
Schuett, Dianne
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cali-Pitts, Jacqueline
Cook, Allen
DiFranco, Debbie
Fesh, Robert
Griffin, Mary
Heffron, Frank
Lovejoy, Patricia
McKinney, Betsy
Pantelakos, Laura
Simpson, Alexis
Vose, Michael
Welch, David
Abramson, Max
Berrien, Skip
Cardon, G. Thomas
Cushing, Robert
Doucette, Fred
Francese, Paula
Guthrie, Joseph
Hoelzel, Kathleen
Major, Norman
McMahon, Charles
Potucek, John
Sweeney, Joe
Ward, Gerald
Weyler, Kenneth
Allen, Mary
Borden, David
Chase, Francis
DeSimone, Debra
Elliott, Robert
Friel, William
Hagan, Joseph
Introne, Robert
Matthews, Carolyn
Osborne, Jason
Sanders, Elisabeth
Sytek, John
Ward, Joanne
Wood, David
Azarian, Gary
Cahill, Michael
Christie, Andrew
Devine, James
Ferrante, Beverly
Gordon, Pamela
Harris, Jeffrey
Katsakiores, Phyllis
McBeath, Rebecca
Packard, Sherman
Sherman, Thomas
Thomas, Douglas
Webb, James

STRAFFORD

Baber, William
Cilley, Jacalyn
Leeman, Don
Southworth, Thomas
Treleaven, Susan
Bickford, David
DiSesa, Len
Pitre, Joseph
Spang, Judith
Verschueren, James
Bixby, Peter
Horrigan, Timothy
Schmidt, Peter
Sprague, Dale
Wall, Janet
Burton, Wayne
Kaen, Naida
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth

SULLIVAN

Cloutier, John
Laware, Thomas
Smith, Steven
Gagnon, Raymond
O'Hearne, Andrew
Gottling, Suzanne
Rollins, Skip
Grenier, James
Schmidt, Andrew

NAYS - 114

BELKNAP

Gallagher, Brian
LeBreche, Shari
Sylvia, Michael
Vadney, Herbert

CARROLL

Avellani, Lino
Wright, Ted
Buco, Thomas
Comeau, Ed
Ticehurst, Susan

CHESHIRE

Sterling, Franklin

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Abel, Richard
Ingbretson, Paul
Bailey, Brad
Johnson, Eric
Brown, Chris
Piper, Wendy
Brown, Duane

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Bouldin, Amanda	Burt, John
Christie, Rick	Coffey, James	Eastman, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Hogan, Edith	Hopper, Gary
LeBrun, Donald	Marston, Dick	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Parison, James
Pellegrino, Anthony	Rice, Kimberly	Rouillard, Claire	Schleien, Eric
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory
Straight, Phillip	Takesian, Charlene	Ulery, Jordan	Vann, Ivy
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	

ROCKINGHAM

Baldasaro, Alfred	Barnes, Arthur	Bates, David	Bush, Carol
Chirichiello, Brian	Duarte, Joe	Emerick, J. Tracy	Gannon, William
Gordon, Richard	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Lundgren, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Peckham, Michele	Priestley, Anne	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Tamburello, Daniel
Tasker, Kyle	True, Chris	Tucker, Pamela	Woitkun, Steven

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Gray, James	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Mullen, John	Rollo, Deanna	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest Converse, Larry

and the majority committee amendment was adopted.
Majority committee report adopted and ordered to third reading.

HB 283, requiring school districts to establish a policy permitting a pupil's parent or legal guardian to observe his or her classes. **INEXPEDIENT TO LEGISLATE.**
Rep. John L. Balcom for Education. The majority of the committee agreed that all school districts should have such a policy; however, visitation by a pupil's parent could be requested for a myriad of reasons, some of which are based in family court decisions. Therefore, dictating guidelines for this policy is best left to the local school boards and administration. Vote 16-4.
Committee report adopted.

CACR 4, relating to the right to vote. Providing that 17-year olds who will be eligible to vote in the general election be permitted to vote in the election's primary election. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Barbara J. Griffin for the Majority of Election Law. This CACR seeks to change Article 11 of the New Hampshire Constitution to allow inhabitants of the state who are 17 years of age at the primary, but 18 years of age at the general election, to vote in the primary for that general election in the community that is their domicile. The language of our constitution provides clear guidance. A change as proposed will create questions of applicability in other elections, such as special elections, and if the date of the primary is changed the period of time in question could be more than doubled. Implementation will cause more work for local officials for what is a political party event. There are also enforcement and implementation issues when primary and general elections occur on the same day. Currently individuals can register to vote in an election when they are 17 years of

age allowing them to vote in the general or local election. While it was presented that the primary goal of the change is to increase voter turnout and participation, there was no evidence presented of such a long-term change in voter turnout in the 13 states where it has been implemented. Vote 10-7. Rep. Wayne M. Burton for the Minority of Election Law. If approved by the house and by voters in the state via the 2016 general election, this proposed constitutional amendment would grant inhabitants 17 years of age who will reach age 18 prior to the general election an equal right to vote in the primary leading to that election. The minority of the committee finds more than sufficient reason to put this issue before the voters in the next election cycle. The students from Merrimack High School who developed the proposal gave compelling arguments on behalf of their generation that disallowing their participation in the primary when they are 17, deprives them of their right to participate in the process of selecting the candidates who appear on the general election ballot when they can vote having attained the age of 18. The minority offers two primary reasons in support of their position. Turnout is historically low among young voters. This constitutional amendment if adopted would serve to encourage young people to begin voting and form a habit that will last a lifetime. The minority also believes that those old enough to be drafted into the armed forces should the draft be reinstated, deserve the opportunity to vote in the election establishing the national leaders who would make such a decision. Arguments against CACR 4 had to do with potential administrative challenges. David Scanlan, the Deputy Secretary of State testified that any administrative problems were not insurmountable. He also concurred with the assertion that administrative challenges should not preclude the adoption of a policy that will inspire young people to vote, a goal of the committee and his office. If the students from Merrimack High School, who had experienced what they perceive as unjust treatment – no vote in the primary, a vote in the general – are any example of the youth of the state, democracy in New Hampshire will be the beneficiary of an ought to pass recommendation.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Notter and Burton spoke against.
Reps. Barbara Griffin and Gray spoke in favor.
On a division vote, 263 members having voted in the affirmative and 93 in the negative, the majority committee report was adopted.

HB 185, authorizing straight ticket voting. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Robert A. Luther for the Majority of Election Law. This bill would allow straight ticket voting. In 2007, the straight ticket option was repealed. Over many years, election officials working on recounts reported many instances that confirmed voter confusion relating to straight ticket voting. In some instances, it is difficult to determine the intent of the voter. Voters still have the ability to vote for all candidates in one party without the straight ticket. Vote 16-2.
Rep. William M. Gannon for the Minority of Election Law. We, the minority, believe it should be a person's choice as a free citizen to choose to cast a straight ticket for one party. The majority argued that there can be administrative problems with straight ticket balloting on ballots that subsequently don't proceed with a straight ticket on their ballot and make counting hard. This, though problematic, avoids the intent of the bill, which is to give a voter their choice of an easy, straightforward vote for the party of their choice.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Gannon spoke against and yielded to questions.
Rep. Gray spoke in favor.
On a division vote, 335 members having voted in the affirmative and 28 in the negative, the majority committee report was adopted.

HB 404-FN, relative to showing a ballot. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. James P. Gray for the Majority of Election Law. Current law prohibits a person from showing his or her marked ballot in order to hinder any effort to sell votes. This law was updated last year to add a prohibition on taking a digital image or photograph of a marked ballot. Just as with HB 228, the committee believes that we should wait for the outcome of pending litigation before making any changes to this law. Vote 14-2.

Rep. Kathleen F. Souza for the Minority of Election Law. The minority of the committee felt that HB 404, repealing the current prohibition on showing one's ballot, is consistent with our right of free speech, a constitutional guarantee not to be abridged by the possibility that someone might attempt voter coercion. The person attempting coercion should be guilty of a crime, not the person exercising one's first amendment rights.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Rideout and Burt spoke against.
Rep. Gray spoke in favor and yielded to questions.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 233 - NAYS 131

YEAS - 233

BELKNAP

Dumais, Russell	Fields, Dennis	Hurt, George	Luther, Robert
Spanos, Peter	Tilton, Franklin	Varney, Peter	

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Cooney, Mary	Ford, Susan
Gionet, Edmond	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Brown, Pamela	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Danielson, David
DiSilvestro, Linda	Flanagan, Jack	Freitas, Mary	Gargasz, Carolyn
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara
Haefner, Robert	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hogan, Edith
Hopper, Gary	Jack, Martin	Jeudy, Jean	Kurk, Neal
LeBrun, Donald	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Ober, Lynne	Ober, Russell	Palmer, Barry	Pellegrino, Anthony
Pierce, David	Porter, Marjorie	Roberts, Carol	Rokas, Ted
Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Horn, Werner	Karrick, David	Kenison, Linda
Kidder, David	Kotowski, Frank	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Chase, Francis	Christie, Andrew	Cook, Allen	Cushing, Robert
DeSimone, Debra	Devine, James	DiFranco, Debbie	Doucette, Fred
Elliott, Robert	Ferrante, Beverly	Francese, Paula	Friel, William
Gannon, William	Gordon, Pamela	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Katsakiores, Phyllis	Lovejoy, Patricia	Lundgren, David	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	Nigrello, Robert
O'Connor, John	Packard, Sherman	Pantelakos, Laura	Sanders, Elisabeth
Sherman, Thomas	Simpson, Alexis	Sytek, John	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Woitkun, Steven

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gray, James
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Laware, Thomas	O'Hearne, Andrew
Schmidt, Andrew	Smith, Steven		

NAYS - 131

BELKNAP

Aldrich, Glen	Comtois, Guy	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	LeBreche, Shari	Sylvia, Michael	Vadney, Herbert

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Wright, Ted

CHESHIRE

Ley, Douglas	McConnell, Jim		

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert

GRAFTON

Brown, Rebecca	Darrow, Stephen	Hennessey, Erin	Ingbretson, Paul
Johnson, Eric	Piper, Wendy		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christie, Rick	Coffey, James

Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gould, Linda	Goulette, William	Halstead, Carolyn	Infantine, William
Lachance, Joseph	Marston, Dick	McCarthy, Peggy	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ohm, Bill	Parison, James	Peterson, Ken
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Shaw, Barbara	Silva, Peter
Simmons, Tammy	Smith, Gregory	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chirichiello, Brian	Duarte, Joe
Emerick, J. Tracy	Fesh, Robert	Gordon, Richard	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
McMahon, Charles	Oligny, Jeffrey	Osborne, Jason	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Weyler, Kenneth	Wood, David		

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Verschueren, James	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Irwin, Virginia Rollins, Skip

and the majority committee report was adopted.

The House recessed at 12:25 p.m.

RECESS

The House reconvened at 1:25 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR CONT'D

HB 463, relative to state agency communications. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter R. Leishman for the Majority of Finance. The Legislative Budget Assistant (LBA) is legislatively mandated to conduct both performance and fiscal audits of state administrative agencies. From time to time agency heads have claimed that requested information is either confidential or attorney-client protected and have relied on the attorney general's office to support their position. The majority of the committee believes that should an administrative agency claim requested documents are confidential or attorney-client protected, the joint legislative fiscal committee should be tasked with determining whether documents are in fact confidential. Finally, we believe the question of disclosure of alleged confidential or attorney-client protected documents by the elected house and senate members of the fiscal committee, rather than the attorney general, will greatly enhance the LBA's on-going efforts to provide complete and transparent audits of administrative agencies and will not result in public disclosure of any confidential documents. Vote 19-5.

Rep. Cindy Rosenwald for the Minority of Finance. A loophole in the HIPAA privacy rule allows individually-identifiable medical records to be released to the Legislative Budget Assistant. The minority believes that psychiatric records of New Hampshire residents should not be disclosed to the legislative branch. The minority amendment requires that no individually-identifiable medical information be disclosed to the LBA; de-identified records will be available for use in audits.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Rosenwald offered floor amendment (0521h).

Floor Amendment (0521h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Section; Audits; Personal Health Information. Amend RSA 14 by inserting after section 31-c the following new section:

14:31-d Personal health information about an individual's medical condition or treatment disclosed during the course of an audit under this subdivision shall not contain the name or address of the individual unless the personal health information does not include a unique identifying record number.

Rep. Rosenwald spoke in favor.
Rep. Lynne Ober spoke against and requested a roll call; sufficiently seconded.

YEAS 104 - NAYS 244

YEAS - 104

BELKNAP

Aldrich, Glen			

CARROLL

Butler, Edward	Wright, Ted		

CHESHIRE

Ames, Richard	Berch, Paul	Ley, Douglas	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	

GRAFTON

Abel, Richard	Brown, Rebecca	Ford, Susan	Ingbretson, Paul
Johnson, Eric	Massimilla, Linda	Smith, Suzanne	White, Andrew

HILLSBOROUGH

Booras, Efstathia	Christie, Rick	Coffey, James	Cohen, Alan
Eastman, Eric	Edwards, Elizabeth	Ferreira, Elizabeth	Freitas, Mary
Fromuth, Bart	Goley, Jeffrey	Halstead, Carolyn	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Jack, Martin	Jeudy, Jean
LeBrun, Donald	Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael
Pellegrino, Anthony	Porter, Marjorie	Rosenwald, Cindy	Shattuck, Gilman
Snow, Kendall	Vann, Ivy	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
Gile, Mary	Hirsch, Geoffrey	Karrick, David	MacKay, James
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Shurtleff, Stephen	Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip
Borden, David
Cali-Pitts, Jacqueline
Cushing, Robert
Duarte, Joe
Gordon, Pamela
Griffin, Mary
McBeath, Rebecca
McMahon, Charles
Oligny, Jeffrey
Pantelakos, Laura
Peckham, Michele
Priestley, Anne
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Vose, Michael
Ward, Gerald
Wood, David

STRAFFORD

Baber, William
Bickford, David
Burton, Wayne
Kaczynski, Jr., Thomas
Leeman, Don
Spang, Judith
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Converse, Larry
Irwin, Virginia
Rollins, Skip

NAYS - 244

BELKNAP

Dumais, Russell
Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Buco, Thomas
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
McConnell, Jim
Parkhurst, Henry
Pearson, William
Sterling, Franklin
Tatro, Bruce

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John

GRAFTON

Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Duane
Cooney, Mary
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Sykes, George

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Estevez, Eric
Flanagan, Jack
Gagne, Larry
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Infantine, William
Kurk, Neal
Lachance, Joseph
Leishman, Peter
Long, Patrick
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Peterson, Ken
Pierce, David
Proulx, Mark

Rice, Kimberly	Roberts, Carol	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Shaw, Barbara	Silva, Peter	Simmons, Tammy	Smith, Gregory
Smith, Timothy	Straight, Phillip	Sullivan, Victoria	Takesian, Charlene
Twombly, Timothy	Ulery, Jordan	Walsh, Robert	Zaricki, Nick

MERRIMACK

Carson, Clyde	Ebel, Karen	French, Harold	Henle, Paul
Hill, Gregory	Hoell, J.R.	Horn, Werner	Kenison, Linda
Kidder, David	Kotowski, Frank	Kuch, Bill	Luneau, David
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Moffett, Howard	Parent, Jason	Schuett, Dianne	Seaworth, Brian
Turcotte, Alan	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cahill, Michael	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Cook, Allen	DeSimone, Debra	Devine, James
DiFranco, Debbie	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Friel, William	Gannon, William
Gordon, Richard	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem
Lovejoy, Patricia	Lundgren, David	Major, Norman	Matthews, Carolyn
McKinney, Betsy	Nigrello, Robert	O'Connor, John	Osborne, Jason
Packard, Sherman	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Tamburello, Daniel
Thomas, Douglas	True, Chris	Tucker, Pamela	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Beaudoin, Steven	Bixby, Peter	Cheney, Catherine	Cilley, Jacalyn
DiSesa, Len	Gray, James	Groen, Warren	Hannon, Joseph
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Knowles, Robert
Mullen, John	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Stevens, Audrey	Turcotte, Leonard
Verschueren, James	Wuelper, Kurt		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Laware, Thomas	O'Hearne, Andrew	Schmidt, Andrew	Smith, Steven

and floor amendment (0521h) failed.
Majority committee report adopted and ordered to third reading.

HB 539-FN, establishing an early learning incentive fund in the department of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie J. Sanborn for Finance. This bill creates a new dedicated fund in the department of education for the purpose of developing voluntary early learning programs for children aged 3-5. The fund would be non-lapsing and continually appropriated, and would be able to accept gifts and funding from any sources. Although this bill does not appropriate any funds, the majority of the committee is concerned about creating yet another dedicated fund and did not receive sufficient compelling data to support the necessity of this fund, given the existence of early learning programs. For these reasons, the majority believes this bill is Inexpedient to Legislate at this time. Vote 14-9.

Rep. Gile spoke against.
Rep. Sanborn spoke in favor.
Committee report adopted.

HB 631-FN-A, making an appropriation to the New Hampshire state house bicentennial education and commemoration fund. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter J. Spanos for Finance. RSA 17-R:3 initially established the New Hampshire State House Bicentennial Education and Commemoration Fund. This non-lapsing dedicated fund may accept various grants and gifts presently. HB 631-FN-appropriated $1 into the fund and is unnecessary. Vote 21-3.
Committee report adopted.

HB 638-FN-A, reestablishing the catastrophic illness program and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Dan McGuire for the Majority of Finance. This bill reinstitutes the catastrophic illness program, which ended four years ago. It paid for some uncovered expenses for those with one of six specific severe medical conditions. HHS was given wide latitude on what expenses were covered, to what extent, how the program was administered, etc. This flexibility proved useful for the department to cover necessary items that otherwise would have fallen through the cracks. In its last two years, the program spent roughly $100,000 per year. The department states that today a $70,000 staff person would be required to run the program, so administrative expenses are very high. The committee also heard testimony that in the intervening years, insurance coverage has increased, and together with other changes to medical programs, the need for the program has lessened. Finally, if the department sees a need to resurrect the program, it can be done as part of their budget. For these reasons, HB 638 is Inexpedient to Legislate. Vote 14-10.
Rep. Katherine D. Rogers for the Minority of Finance. The minority believes that HB 638 would reserve a place in the budget for this program that was repealed in 2011. This program assisted residents of NH suffering from catastrophic illnesses in gaining access to needed diagnostic, curative, and rehabilitative health services when they are unable to pay the entire cost of the medical care and treatment on a continuing basis despite the existence of insurance, Medicare, Medicaid and other governmental assistance programs and private charitable assistance programs. HB 638 called for an appropriation of only $1.00 to act as a "place holder" to allow for future discussion of this important and needed program.
Majority committee report adopted.

HB 136, prohibiting tanning facilities from tanning persons under 18 years of age. **OUGHT TO PASS.**
Rep. John Fothergill for Health, Human Services and Elderly Affairs. The committee considered three aspects. First was the safety of tanning and the preponderance of data, which shows tanning to be unsafe. The business aspect was considered, but the industry itself, assured us it was only between 0.5-2% of their business. Finally, parental rights were discussed at length and the benefits of preventing children under 18 from tanning are similar to the benefits of attempts to minimize their exposure to tobacco. Vote 14-0.

MOTION TO LAY ON THE TABLE

Rep. Itse moved that **HB 136,** prohibiting tanning facilities from tanning persons under 18 years of age, be laid on the table.
Rep. Sherman requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 188

YEAS - 171

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Wright, Ted		

CHESHIRE

Hunt, John	McConnell, Jim	Roberts, Kris	Sterling, Franklin

COOS

Rappaport, Laurence | Richardson, Herbert | Rideout, Leon

GRAFTON

Bailey, Brad | Ingbretson, Paul | Johnson, Eric | Ladd, Rick
Piper, Wendy | Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher | Ammon, Keith | Balcom, John | Barry, Richard
Beaulieu, Jane | Belanger, James | Biggie, Barbara | Boehm, Ralph
Burt, John | Byron, Frank | Christensen, Chris | Christiansen, Lars
Christie, Rick | Coffey, James | Eastman, Eric | Edelblut, Frank
Estevez, Eric | Ferreira, Elizabeth | Flanagan, Jack | Fromuth, Bart
Gagne, Larry | Goley, Jeffrey | Gonzalez, Carlos | Gorman, Mary
Gould, Linda | Goulette, William | Griffin, Barbara | Haefner, Robert
Halstead, Carolyn | Hansen, Peter | Hinch, Richard | Hogan, Edith
Hopper, Gary | Kurk, Neal | Lachance, Joseph | Marston, Dick
Martel, Andre | McCarthy, Peggy | McClarren, Donald | McLean, Mark
Murotake, David | Murphy, Keith | Notter, Jeanine | O'Brien, William
Ober, Lynne | Ober, Russell | Ohm, Bill | Parison, James
Peterson, Ken | Proulx, Mark | Rice, Kimberly | Rosenwald, Cindy
Rouillard, Claire | Sanborn, Laurie | Schleien, Eric | Scontsas, Lisa
Seidel, Carl | Silva, Peter | Simmons, Tammy | Smith, Gregory
Straight, Phillip | Sullivan, Victoria | Takesian, Charlene | Twombly, Timothy
Ulery, Jordan | Walsh, Robert | Wolf, Terry | Zaricki, Nick

MERRIMACK

Bradley, Paula | Brewster, Michael | French, Harold | Hill, Gregory
Hoell, J.R. | Kidder, David | Kuch, Bill | Marple, Richard
Martin, John | McGuire, Carol | McGuire, Dan | Parent, Jason
Seaworth, Brian

ROCKINGHAM

Abramson, Max | Allen, Mary | Baldasaro, Alfred | Bates, David
Bush, Carol | Chirichiello, Brian | Cook, Allen | Duarte, Joe
Emerick, J. Tracy | Ferrante, Beverly | Friel, William | Gordon, Richard
Griffin, Mary | Harris, Jeffrey | Hodgdon, Bruce | Hoelzel, Kathleen
Introne, Robert | Itse, Daniel | Kappler, Lawrence | Katsakiores, Phyllis
Kellogg, Shem | Lundgren, David | Major, Norman | McKinney, Betsy
Nigrello, Robert | O'Connor, John | Oligny, Jeffrey | Osborne, Jason
Packard, Sherman | Potucek, John | Priestley, Anne | Prudhomme-O'Brien, Katherine
Rice, Frederick | Sanders, Elisabeth | Schroadter, Adam | Spillane, James
Tamburello, Daniel | Thomas, Douglas | True, Chris | Wood, David

STRAFFORD

Beaudoin, Steven | Bickford, David | Burton, Wayne | Cheney, Catherine
Cilley, Jacalyn | Gray, James | Groen, Warren | Hannon, Joseph
Jones, Laura | Kaczynski, Jr., Thomas | Knowles, Robert | Mullen, John
Pitre, Joseph | Turcotte, Leonard | Wuelper, Kurt

SULLIVAN

Bridge, Ernest | Laware, Thomas | Rollins, Skip | Smith, Steven

NAYS - 188

BELKNAP

Gallagher, Brian | Tilton, Franklin

CARROLL

Butler, Edward	Crawford, Karel	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Duane	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Booras, Efstathia	Bouldin, Amanda	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Edwards, Elizabeth	Freitas, Mary	Gargasz, Carolyn
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Moore, Josh
O'Brien, Michael	O'Neil, William	Palmer, Barry	Pellegrino, Anthony
Pierce, David	Porter, Marjorie	Roberts, Carol	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Williams, Kermit
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kotowski, Frank	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Belanger, Ronald
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chase, Francis	Cushing, Robert	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Elliott, Robert
Fesh, Robert	Francese, Paula	Gannon, William	Gordon, Pamela
Guthrie, Joseph	Hagan, Joseph	Heffron, Frank	Lovejoy, Patricia
Matthews, Carolyn	McBeath, Rebecca	McMahon, Charles	Pantelakos, Laura
Peckham, Michele	Sherman, Thomas	Simpson, Alexis	Sweeney, Joe
Tucker, Pamela	Vose, Michael	Ward, Gerald	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Baber, William	Bixby, Peter	DiSesa, Len	Horrigan, Timothy
Kaen, Naida	Leeman, Don	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Verschueren, James	Wall, Janet
Ward, Kenneth			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Schmidt, Andrew

and the motion failed.

The question now being adoption of the committee report of Ought to Pass.
Reps. Notter and Abramson spoke against and yielded to questions.
Rep. Azarian spoke in favor.
Rep. Fothergill spoke in favor and yielded to questions.
Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 162

YEAS - 199

BELKNAP

Gallagher, Brian	LeBreche, Shari	Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Ley, Douglas	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Gionet, Edmond
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Belanger, James	Booras, Efstathia	Brown, Pamela
Christensen, Chris	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Danielson, David	Donovan, Daniel	Estevez, Eric	Flanagan, Jack
Freitas, Mary	Gonzalez, Carlos	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Jack, Martin	Jeudy, Jean	LeBrun, Donald	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael	Ober, Lynne
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Roberts, Carol	Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Straight, Phillip
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Cushing, Robert	DeSimone, Debra	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Fesh, Robert
Francese, Paula	Friel, William	Gannon, William	Gordon, Pamela
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Kappler, Lawrence	Katsakiores, Phyllis	Lovejoy, Patricia
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Pantelakos, Laura	Potucek, John	Priestley, Anne
Sanders, Elisabeth	Sherman, Thomas	Simpson, Alexis	Sweeney, Joe
Ward, Gerald	Ward, Joanne	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Horrigan, Timothy	Kaen, Naida	Leeman, Don	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	O'Hearne, Andrew	Schmidt, Andrew	

NAYS - 162

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Spanos, Peter
Sylvia, Michael	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Parker, Harold	Wright, Ted	

CHESHIRE

Bordenet, John	Hunt, John	McConnell, Jim	Roberts, Kris
Sterling, Franklin			

COOS

Rappaport, Laurence	Rideout, Leon		

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Ingbretson, Paul
Johnson, Eric	Piper, Wendy	Shackett, Jeffrey	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Beaulieu, Jane	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda

Burt, John	Byron, Frank	Christie, Rick	Coffey, James
DiSilvestro, Linda	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Goulette, William
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Hopper, Gary	Kurk, Neal	Lachance, Joseph	Leishman, Peter
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	O'Neil, William	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Shaw, Barbara	Silva, Peter
Simmons, Tammy	Smith, Gregory	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Bush, Carol	Chirichiello, Brian	Cook, Allen
Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly	Gordon, Richard
Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert	Itse, Daniel
Kellogg, Shem	Lundgren, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Packard, Sherman	Peckham, Michele
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Tamburello, Daniel	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Webb, James	Welch, David	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Cilley, Jacalyn
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Irwin, Virginia	Laware, Thomas	Rollins, Skip
Smith, Steven			

and the committee report was adopted and ordered to third reading.
Rep. Infantine declared a conflict of interest and did not participate.

HB 389-FN, repealing the certificate of need moratorium. **INEXPEDIENT TO LEGISLATE.** Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill carves out the nursing home, skilled nursing facility, intermediate care facility and rehabilitation facility industry for a moratorium on the certificate of need statute restrictions. The majority of the committee, while divided on whether the CON process should be allowed to sunset in 2016 as planned, were united in their opposition to exceptional carve outs from the CON process without clear benefit to the citizens of New Hampshire and with testimony to the resulting significant negative impact to current providers. Vote 9-5.
Rep. Carol McGuire spoke against.
Rep. Sherman spoke in favor.
On a division vote, 205 members having voted in the affirmative and 129 in the negative, the committee report was adopted.

HB 476-FN, amending the definition of "qualifying medical condition" in the therapeutic cannabis law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J. Schmidt for Health, Human Services and Elderly Affairs. This bill, as amended, adds epilepsy, lupus, parkinson's disease and dementia associated with alzheimer's to the list of conditions for therapeutic cannabis. Compelling medical testimony was heard for reasons to include these chronic conditions and diseases in the therapeutic cannabis legislation to the benefit of New Hampshire patients. The bill leaves intact all the controls in place to restrict cannabis use to those patients where traditional medicine has failed to provide relief and continues to require a long-term relationship with a physician. Vote 10-3.

Amendment (0308h)

Amend RSA 126-X:1, IX(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Qualifying medical condition" means the presence of:

(1) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C currently receiving antiviral treatment, amyotrophic lateral sclerosis, muscular dystrophy, Crohn's disease, agitation of Alzheimer's disease, multiple sclerosis, chronic pancreatitis, spinal cord injury or disease, traumatic brain injury, ***epilepsy, lupus, Parkinson's disease, dementia associated with Alzheimer's disease,*** or one or more injuries that significantly interferes with daily activities as documented by the patient's provider; and

(2) A severely debilitating or terminal medical condition or its treatment that has produced at least one of the following: elevated intraocular pressure, cachexia, chemotherapy-induced anorexia, wasting syndrome, severe pain that has not responded to previously prescribed medication or surgical measures or for which other treatment options produced serious side effects, constant or severe nausea, moderate to severe vomiting, seizures, or severe, persistent muscle spasms.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

CACR 9, relating to judgment on impeachment. Providing that persons impeached by the senate forfeit their state pensions and state-funded insurance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Timothy O. Horrigan for the Majority of Judiciary. There have been only two impeachment trials in the history of the State of New Hampshire, and neither defendant was convicted by the State Senate. In 1790, Justice Woodbury Langdon resigned his post as a state judge during the trial, and in 2000, the senate acquitted Chief Justice David Brock. If either official had been convicted, the only penalties the Senate could have imposed, pursuant to Part second, Article 39 of the state constitution, would have been "removal from office" and "disqualification to hold or enjoy any place of honor, trust or profit under this State." Part second Article 39 has been unchanged since 1784, and the majority of the committee concluded that there was no need to change it now. The proposed additional penalties in CACR 9 of "the forfeiture of all state pension contributions and the profit thereon, and the loss of state-funded healthcare insurance" were unnecessary, in the view of the majority, and also could quite possibly be in violation of federal employee-benefits law. Moreover, the proposed changes to Part second, Article 39 are in conflict with the existing language of Part first, Article 36-a, which stipulated that funds contributed to the New Hampshire Retirement System (including the new Hampshire Judicial Retirement System) "shall not be encumbered for, or diverted to, any other purposes." Vote 14-1.

Rep. Kurt F. Wuelper for the Minority of Judiciary. CACR 9 mandates a government officer who has been removed from office through impeachment, not receive any government funded pension/health benefits. The minority finds this a reasonable addition to the constitutionally specified maximum penalty.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Itse spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 235 - NAYS 121

YEAS - 235

BELKNAP

Dumais, Russell	Fields, Dennis	Luther, Robert	Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Belanger, James
Biggie, Barbara	Booras, Efstathia	Brown, Pamela	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Flanagan, Jack	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Hopper, Gary	Infantine, William	Jack, Martin	Jeudy, Jean
Kurk, Neal	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McLean, Mark	O'Brien, Michael
O'Neil, William	Ober, Russell	Palmer, Barry	Pellegrino, Anthony
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Scontsas, Lisa
Shattuck, Gilman	Shaw, Barbara	Simmons, Tammy	Smith, Gregory
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Straight, Phillip
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Kuch, Bill	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Belanger, Ronald	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Cushing, Robert	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Friel, William	Gordon, Pamela

Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Schmidt, Andrew
Smith, Steven

NAYS - 121

BELKNAP

Aldrich, Glen
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Spanos, Peter
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence
Rideout, Leon
Thomas, Yvonne

GRAFTON

Brown, Duane
Darrow, Stephen
Ingbretson, Paul
Johnson, Eric
Piper, Wendy
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christie, Rick
Coffey, James
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gould, Linda
Goulette, William
Griffin, Barbara
Hansen, Peter
Hogan, Edith
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McClarren, Donald
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Parison, James
Peterson, Ken
Rice, Kimberly
Sanborn, Laurie
Schleien, Eric
Seidel, Carl
Silva, Peter
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Rice, Harold (Chip)
Seaworth, Brian

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Bush, Carol	Cook, Allen	DeSimone, Debra
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Lundgren, David	Oligny, Jeffrey
Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Weyler, Kenneth	Woitkun, Steven
Wood, David			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Pitre, Joseph	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Gagnon, Raymond Rollins, Skip

and the majority committee report was adopted.

HB 151, establishing a committee to study end-of-life decisions. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Larry R. Phillips for the Majority of Judiciary. A bi-partisan majority supports helping citizens encounter end of life with personal, medical and appropriate decisions. This bill would study innovative approaches to medical care and dying, many of which have been implemented in other states. Through the efforts of such a committee, new initiatives could emerge. Vote 9-7.

Rep. Gary S. Hopper for the Minority of Judiciary. The sponsor of HB 151 would like us to use taxpayer's money to study "end of life issues." This is merely a euphemism for state-assisted suicide. Although the minority has great compassion for those who are at the end of their natural lives, we believe that this issue has been studied at great length in many places around this country and there is no need for New Hampshire to pay for a study, too.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, 189 members having voted in the affirmative and 161 in the negative, the majority committee report was adopted and ordered to third reading.

HB 203, relative to the unauthorized practice of law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for Judiciary. The legislature passed this measure last term but failed to take into account that many properties are owned by trusts. Trustees were not included in the original bill. This bill now extends to trustees, beneficiaries and their designees and/or property manager. The minority felt that the original bill should be allowed to mature or ripen to see what problems might actually arise. However, the omission of trustees was recognized last term at a point in time when amendment was no longer available. Vote 7-6.

Amendment (0284h)

Amend RSA 540:30 as inserted by section 1 of the bill by replacing it with the following:

540:30 Unauthorized Practice of Law; Exception; Certain Employees and Members of Limited Liability Companies, Corporations, or Partnerships. Notwithstanding RSA 311:7, a person of good character who is not approved to practice law in New Hampshire, but is a member or employee of a limited liability company, corporation, or partnership, which has 5 or fewer members, ***that owns the premises, or is the trustee or beneficiary or the trustee's or beneficiary's designee of a trust that owns the premises, or is employed or contracted to manage the premises by the owner of the premises*** shall, with the proper written authorization from the organization, be authorized to represent the entity on matters in the circuit court of New Hampshire arising under this chapter ***and RSA 503***; provided that each such appearance shall require a new written authorization ***and the cases under RSA 503 are a landlord/tenant dispute***.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 290, relative to the acceptance of risk in outdoor recreational activities. **OUGHT TO PASS.**
Rep. Michael J. Sylvia for Judiciary. This bill is a good bill for land owners, and it is even better for land users. If that isn't enough, it is also good for the State of New Hampshire. We all know how important outdoor recreational activity is to the economy of this state. By easing concerns of possible lawsuits, this bill allows bikers, horse riders, hikers, snowshoers, cross country skiers and dog mushers to access the great network of trails throughout the state. While outdoor recreational activities carry a variety of potential risks, the enthusiasts are fully willing to accept the personal responsibility that is inherent in their sports. This bill brings the outdoor recreational activities assumption of risk in line with that of snowmobiles and OHRV operations. Vote 13-4.
Committee report adopted and ordered to third reading.

HB 315, relative to termination of tenancy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Michael J. Sylvia for the Majority of Judiciary. The business of residential rentals is a unique type of business. The landlord, particularly in a multi-family property, needs to provide a hospitable environment for all of his or her customers (tenants). As law enforcement will attest, domestic quarrels can be the most volatile of relations. Landlords prefer to have peaceable customers that all get along. To this end, landlords are very careful about screening their new customers to assure that they will fit into the environment he or she wishes to maintain. It is a poor business practice to have frequent turnover in the residential property arena. Eviction is a sign of a failure in this business; it is only sought as a last resort. Eviction can be expensive and time consuming. HB 315 provides three additional causes for which a landlord may seek eviction; if the tenant fails to establish utility services, the tenant has an unauthorized person staying for extended periods, or the tenant keeps unauthorized pets or animals. Vote 11-7.
Rep. Timothy O. Horrigan for the Minority of Judiciary. HB 315 would add three items to the list of infractions, which can justify eviction with 7 days notice: failure to establish utility service, keeping one or more pets without permission of the landlord, or having any person staying more than 14 days in a row or 30 days per year without the landlord's written permission. The minority concluded that this bill was unnecessarily broad. The minority was especially concerned about the provision, which would allow a landlord to evict tenants merely because friends or family members happen to visit for more than just a few days. The concerns behind this bill could best be dealt with by addressing these issues specifically in tenants' lease contracts. Existing law already allows landlords to evict any tenant with 7 days notice who causes substantial damage to the property and/or who endangers the landlord, the landlord's representatives or other tenants. Existing law also allows landlords to evict tenants for any legitimate business or economic reason with 30 days notice.

Majority Amendment (0298h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraphs; Termination of Tenancy. Amend RSA 540:2, II by inserting after subparagraph (g) the following new subparagraphs:

(h) Failure by the tenant to establish utility service in the tenant's name or termination by the tenant or the utility provider of a utility service, where payment for such utility service is the tenant's obligation under the lease or rental agreement, provided that:

(1) No tenancy shall be terminated under this subparagraph if prior to the expiration of the eviction notice the tenant has the utility service established or restored and has reimbursed the landlord any costs associated with tenant's termination of said utility; and

(2) If the tenant cures his or her failure pursuant to subparagraph (1), the landlord may still initiate an eviction action pursuant to RSA 540:2, II(b) in cases in which the tenant's failure caused substantial damage to the premises, or the tenant has cured such failure more than 3 times in 12 months.

(i) A person staying in the leased premises who is not a party to the lease or rental agreement, without the written consent of the landlord, more than 14 consecutive days or 30 days in a 12-month period. No tenancy shall be terminated under this subparagraph if the tenant has the person who is not a party to the lease permanently leave the premises before the expiration of the eviction notice, provided that the tenant has not previously cured this breach of the lease or rental agreement.

(j) Having one or more pets or animals in the leased premises in violation of the lease or rental agreement. No tenancy shall be terminated under this subparagraph if the tenant has the unauthorized pets or animals permanently removed from the premises before the expiration of the eviction notice, provided that the tenant has not previously cured this breach of the lease or rental agreement.

2 Eviction Notice. Amend RSA 540:3, II to read as follows:

II. For all residential tenancies, 30 days' notice shall be sufficient in all cases; provided, however, that 7 days' notice shall be sufficient if the reason for the termination is as set forth in RSA 540:2, II(a), (b), [~~or~~] (d), ***(h), (i), or (j)***.

3 Effective Date. This act shall take effect January 1, 2016.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 263 - NAYS 95

YEAS - 263

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Bordenet, John	Chase, Cynthia	Eaton, Daniel	Emerson, Susan
Hunt, John	McConnell, Jim	Pearson, William	Phillips, Larry
Shepardson, Marjorie	Sterling, Franklin	Tilton, Benjamin	

COOS

Fothergill, John	Hatch, William	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Tholl, John	Thomas, Yvonne	

GRAFTON

Almy, Susan	Bailey, Brad	Brown, Duane	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	Piper, Wendy
Shackett, Jeffrey			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Boehm, Ralph	Booras, Efstathia
Bouldin, Amanda	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Cohen, Alan
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Freitas, Mary	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Gonzalez, Carlos	Gould, Linda	Goulette, William	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter
Heath, Mary	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Jeudy, Jean	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Long, Patrick	Manley, Jonathan
Marston, Dick	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Roberts, Carol	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory

Smith, Timothy
Sullivan, Daniel
Ulery, Jordan
Snow, Kendall
Sullivan, Victoria
Walsh, Robert
Soucy, Timothy
Takesian, Charlene
Wolf, Terry
Straight, Phillip
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Bradley, Paula
French, Harold
Horn, Werner
Marple, Richard
Myler, Mel
Schuett, Dianne
Brewster, Michael
Hess, David
Kidder, David
Martin, John
Parent, Jason
Seaworth, Brian
Doherty, David
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Ratzki, Mario
Turcotte, Alan
French, Barbara
Hoell, J.R.
Kuch, Bill
McGuire, Dan
Saunderson, George
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Friel, William
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
Nigrello, Robert
Packard, Sherman
Rice, Frederick
Spillane, James
Thomas, Douglas
Webb, James
Wood, David
Abramson, Max
Bates, David
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Gannon, William
Hagan, Joseph
Introne, Robert
Kellogg, Shem
Matthews, Carolyn
O'Connor, John
Potucek, John
Sanders, Elisabeth
Sweeney, Joe
True, Chris
Welch, David
Allen, Mary
Belanger, Ronald
Chirichiello, Brian
Doucette, Fred
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Lovejoy, Patricia
McKinney, Betsy
Oligny, Jeffrey
Priestley, Anne
Schroadter, Adam
Tamburello, Daniel
Tucker, Pamela
Weyler, Kenneth
Baldasaro, Alfred
Bush, Carol
Christie, Andrew
Duarte, Joe
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Lundgren, David
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Tasker, Kyle
Vose, Michael
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Gray, James
Kaczynski, Jr., Thomas
Mullen, John
Sprague, Dale
Whitehouse, Joshua
Bickford, David
Groen, Warren
Kaen, Naida
Pitre, Joseph
Stevens, Audrey
Wuelper, Kurt
Burton, Wayne
Hannon, Joseph
Knowles, Robert
Rollo, Deanna
Turcotte, Leonard
DiSesa, Len
Jones, Laura
Leeman, Don
Smith, Marjorie
Verschueren, James

SULLIVAN

Cloutier, John
Laware, Thomas
Converse, Larry
Rollins, Skip
Grenier, James
Schmidt, Andrew
Irwin, Virginia
Smith, Steven

NAYS - 95

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Parkhurst, Henry
Weber, Lucy
Ames, Richard
Robertson, Timothy
Berch, Paul
Sad, Tara
Ley, Douglas
Tatro, Bruce

COOS

Froburg, Alethea
Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Hennessey, Martha
Nordgren, Sharon
White, Andrew
Bennett, Travis
Higgins, Patricia
Smith, Suzanne
Brown, Chris
Maes, Kevin
Sykes, George
Ford, Susan
Massimilla, Linda
Townsend, Charles

HILLSBOROUGH

Backus, Robert	Brown, Pamela	Cornell, Patricia	DiSilvestro, Linda
Gorman, Mary	Harvey, Suzanne	Herbert, Christopher	Jack, Martin
Mangipudi, Latha	O'Brien, Michael	O'Neil, William	Porter, Marjorie
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Vann, Ivy
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Ebel, Karen	Frazer, June	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Patten, Dick	Rice, Harold (Chip)
Rogers, Katherine	Shurtleff, Stephen	Wallner, Mary Jane	

ROCKINGHAM

Azarian, Gary	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	Devine, James	DiFranco, Debbie
Francese, Paula	Gordon, Pamela	Heffron, Frank	McBeath, Rebecca
Pantelakos, Laura	Peckham, Michele	Simpson, Alexis	Ward, Gerald
Ward, Joanne			

STRAFFORD

Baber, William	Bixby, Peter	Cilley, Jacalyn	Horrigan, Timothy
Schmidt, Peter	Southworth, Thomas	Spang, Judith	Treleaven, Susan
Wall, Janet	Ward, Kenneth		

SULLIVAN

Gagnon, Raymond	Gottling, Suzanne	O'Hearne, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 540-FN, relative to access to court records in parenting cases. **INEXPEDIENT TO LEGISLATE.**
Rep. Linda B. Kenison for Judiciary. This bill adds a new section to RSA 461, Parental Rights and Responsibilities by adding section 461-A:25, Access to Court Records. This bill would require the court to provide parties with access to all records filed in parenting or child support cases. In addition, any court officer or employee who fails to comply shall be subject to prosecution for official oppression pursuant to RSA 643:1. This bill is in direct conflict with Chapter 170-C, Termination of Parental Rights. Specifically, 170-C:14 Confidentiality of Records. The bill as written would apply to court sealed records. HB 540 violates critical confidentiality protections. Releasing these sensitive documents could result in significant harm to the parties involved. Vote 16-2.
Committee report adopted.

HB 191, relative to projects which are privately financed in energy efficiency and clean energy districts. **OUGHT TO PASS.**
Rep. Marjorie A. Porter for Municipal and County Government. This bill removes dollar amount caps and requirements for a loan loss reserve for projects which are privately financed in energy efficiency and clean energy districts under RSA 53-F. This clarifies the intent of the amendment to RSA 53-F added by the senate in 2014. Although understood in both the senate committee and the committee of conference in 2014 that projects financed by private investors would not be subject to dollar amount caps, the statute as written is unclear and has raised concerns from businesses interested in implementing energy efficiency and clean energy projects. Having the legislature cap the size of projects in this market-led effort will stymie project development and therefore reduce the benefits of the program. In addition, a loan loss reserve is unnecessary for privately financed projects because investors are interested in the program without one. The committee agreed that for projects that pose no financial risk to a municipality, the private market should negotiate details of projects without the general court limiting their conditions. Vote 10-5.

LAID ON THE TABLE

Rep. James Belanger moved that **HB 191,** relative to projects which are privately financed in energy efficiency and clean energy districts, be laid on the table.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 192, relative to the valuation of utility property. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clyde J. Carson for the Majority of Municipal and County Government. This bill differentiates between the valuation of utility property as determined by the DRA for purpose of the state utility tax and the valuation of that property as determined by municipalities for purpose of municipal property taxes. This differentiation applies specifically to municipal property tax abatement requests from utilities. The vast majority of NH municipalities hire professional assessors to value utility property as part of their municipal appraisals. The methods used by municipalities are market based, consistent with the way other property is appraised by municipalities and have been accepted by the courts as valid. The DRA uses cost to acquire minus depreciation for its appraisals, which is comparable to the asset value on the utility books. The DRA then allocates the value back to the municipalities in a way that makes direct comparisons difficult. The result of these two different approaches is that municipal appraisals are higher than the appraisals from the DRA. What has happened is that utility companies challenge the municipal appraisal through the abatement process, citing the lower DRA valuation with an expectation that the municipalities will settle for something less. The municipalities must either decide to take a lesser amount or go to court. Many municipalities are currently joined together defending against one utility in court, which is costly. This bill would not stop utilities from requesting abatements, but would not allow the DRA valuation to be used as the basis for those abatement requests. Vote 11-4.

Rep. Susan C. DeLemus for the Minority of Municipal and County Government. The minority of the committee felt this bill should be retained because of the disparity on how utility property is assessed differently for the same property in different communities. The DRA assessment method may result in lower assessed values but they treat similar property more uniformly. Removing the ability of a utility to use a differing opinion of value in an appeal prevents them from using evidence to prove their case. Majority committee report adopted and ordered to third reading.

HB 416-L, relative to compensation for members of the Coos county convention. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Susan C. DeLemus for the Majority of Municipal and County Government. A majority of the committee felt that increasing the per diem for one out of 10 counties was not acceptable. The geographic area covered and the distances traveled to a county delegation meeting were considered but the fact that mileage was also paid for this travel swayed the committee. The county delegates often meet in Concord on session days and receive per diem. Vote 11-7.

Rep. Jane E. Beaulieu for the Minority of Municipal and County Government. The minority of the committee felt this bill should pass because most of the members of the Coos County Delegation co-sponsored this bill, which means most of these state legislators recommend passage. Coos County represents 21% of the state's land mass, which makes it very difficult for members of the delegation to meet at one designated location for county convention. This delegation wishes to have the right to meet in Coos County and to be paid for each meeting they call to fulfill their obligations. Currently the Coos County Delegation meet once in Concord for county convention on session days because most of the county delegation members attend session day and a quorum is in attendance. This meeting is somewhat inadequate because it makes it almost impossible for constituents to attend. The delegation is asking for compensation of mileage and a sum of up to $50 for each of the three regional county convention meetings they currently conduct.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Theberge spoke against.

Rep. Kappler spoke in favor.

On a division vote, 172 members having voted in the affirmative and 167 in the negative, the majority committee report was adopted.

HB 526, relative to transfers of appropriations in Carroll county. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for the Majority of Municipal and County Government. This bill does for Carroll County substantially the same thing HB 1190 did last year for Hillsborough County. The only difference is that this bill sets the exact amount of dollars transferred between line items before requiring a vote of the executive committee is specified where the Hillsborough County bill allowed the executive committee to change that amount as they deemed necessary. This bill as amended creates more flex-

ibility to allow transfers of amounts under $1,000 without executive committee approval. Vote 10-8. Rep. Keith Ammon for the Minority of Municipal and County Government. This bill, as amended, requires department heads to request permission of the county commissioners before transferring any appropriation in excess of $1,000 from one line item to another. Then the county commissioners, if they approve, must report in writing their recommendations to the county executive committee, who then approve part or all of the transfer. It is noted that New Hampshire is not a "home rule" state but a "Dillon's Rule" state, meaning municipalities only have those powers expressly allowed by state law, and that past legislatures have enacted legislation specific to one county or another. However, there has to be a better way to govern counties than having constant requests for legislation, specific to one county or another, come before the legislature. These laws are often proposed by a select few claiming to represent the best interests of the entire county. One could come away with the impression that bills such as these are attempts to settle internal power struggles with the club of the state. The minority felt that laws governing counties should be general to all counties and enabling legislation so that each county can adopt provisions that make sense for its unique demographics, geography, etc. Why should state representatives who reside in other counties vote on laws that force a specific county government to take certain actions when they don't live in that county?

Majority Amendment (0293h)

Amend RSA 24:13-d, I as inserted by section 1 of the bill by replacing it with the following:

I. Prior to the transfer of an appropriation, or any part thereof exceeding $1,000, or an accumulative total exceeding $1,000, from one line item to another, the following procedure shall apply: a request to transfer an appropriation shall be made in writing, by the department head, whether elected or appointed, to the county commissioners, who, if they approve the same, shall report in writing their recommendation to the executive committee.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 689, relative to adoption of a default budget. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for the Majority of Municipal and County Government. Senate Bill 2 (SB 2), enacted in 1995, is enabling legislation that allows towns and school districts to adopt, by a 3/5 majority of the town's voters, a prepackaged set of rules designed to address perceived problems with the traditional town meeting-style of government. Approximately thirty percent of towns have since adopted SB 2. One perceived problem addressed by SB 2 is the ability of the voters to vote down the budget during town meeting. In order to prevent this, the concept of a "default budget" was introduced. The default budget amount is determined using a calculation found in RSA 40:13 IX (b). Some budget item definitions in this calculation are open to interpretation and can be abused. Under SB 2, if a majority votes "no" on the proposed budget, instead of having to renegotiate the amount of the budget with the public, the governing body is allowed to impose an amount by default. This default amount is often nearly as much as the original proposed budget, giving the voters nearly no choice on voting day. HB 689, as amended, would allow voters in SB 2 jurisdictions to place a question on the ballot asking in effect, 'should voters be able to vote on the default budget?' A 3/5th majority must approve this question. If that question passes, then on the following year's ballot, instead of just a single warrant article dealing with the budget, there would be two contingent warrant articles: one article for the proposed budget and one for the default budget, to be voted on separately. Should both the proposed and the default budget articles receive a majority vote, then the proposed budget would be the decided budget. If both questions fail to receive a majority then a traditional-style town meeting would be held for the sole purpose of determining the amount of the budget. This final resort is similar to how many local political subdivisions already determine their budgets. Vote 10-6.

Rep. Marjorie A. Porter for the Minority of Municipal and County Government. This bill seeks to change the way official ballot, or SB 2, towns vote for a budget. Presently, the governing body offers a proposed budget to the voters at a deliberative session, where changes can be made; at a later date, voters approve it or not in the voting booth. If the proposed budget fails, current law provides that a default budget is automatically adopted. Current law specifies what figures should and must be included in the default budget. HB 689 would change the law such that both the proposed AND the default budgets would be voted on in the voting booth. If both fail, a special "town meeting" would be held, where citizens would determine the operating budget. The bill does not specify what would happen

if both budgets were to pass. The minority feels this process is unwieldy, and will cause confusion in the voting booth. It will create delays in getting budgets passed, and may result in a small group of vocal citizens passing an unworkable budget, leaving the town underfunded or unable to provide needed services. If voters are unhappy with the SB 2 process, nothing in current law prevents them from returning to the traditional town meeting format, or pursuing the establishment of a municipal charter.

Majority Amendment (0436h)

1 New Section; Use of Official Ballot; Contingent Warrant Article. Amend RSA 40 by inserting after section 13 the following new section:

40:13-a Contingent Warrant Article.

I. As an alternative to the provisions of RSA 40:13, X, the legislative body of the local political subdivision may, by a 3/5 majority of those voting on the question, require the default budget to be placed on the ballot as a separate contingent warrant article if no operating budget article is adopted. If neither the operating budget nor the default budget is adopted, the governing body may call a special meeting to take up the issue of a revised operating budget only; provided that RSA 31:5 and RSA 197:3 shall not apply to such a special meeting. The special meeting shall consist of a single session held pursuant to RSA 39 and RSA 40:1 through RSA 40:12, and shall not be subject to RSA 40:13.

II. The question of adopting the alternative in this section shall be placed on the official ballot at an annual meeting by the governing body or by petition under RSA 39:3 or 197:6, and shall read substantially as follows:

"Shall (local political subdivision) adopt the provisions of RSA 40:13-a, requiring the default budget to be placed on the ballot as a separate contingent warrant article if no operating budget article is adopted, and providing that the governing body may call a special meeting to take up a revised operating budget in the event that neither the operating budget nor the default budget is adopted?"

III. If the question is approved by a 3/5 majority of those voting on the question, the alternative shall be in effect beginning with the following year's annual meeting. The legislative body may rescind its adoption of this paragraph in the same manner.

IV. In political subdivisions that require the default budget to be voted on as a separate contingent warrant article if no operating budget article is adopted, the wording of the second session ballot question concerning the operating budget shall be as follows:

"Shall (local political subdivision) raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling $_____?"

V. Should the article in paragraph IV be defeated, the wording of the second session contingent ballot question concerning the default budget shall be as follows:

"Shall (local political subdivision), if article ___ is defeated, raise and appropriate as the default budget $ _____, which is the same as last year, with certain adjustments required by previous action of (local political subdivision) or by law? Should this article be defeated, the governing body shall call one special meeting to take up the issue of a revised operating budget only."

2 Effective Date. This act shall take effect 60 days after its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Porter spoke against.

Rep. Ammon spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 148

YEAS - 203

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McConkey, Mark
Nelson, Bill
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Bordenet, John
Emerson, Susan
Hunt, John
McConnell, Jim
Roberts, Kris
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Walsh, Robert
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Major, Norman
McKinney, Betsy
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sweeney, Joe
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Cloutier, John	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 148

BELKNAP

LeBreche, Shari

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Parker, Harold
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Froburg, Alethea	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	DiSilvestro, Linda	Freitas, Mary
Goley, Jeffrey	Gorman, Mary	Griffin, Barbara	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Jack, Martin
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
O'Brien, Michael	Pierce, David	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Vann, Ivy
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	Devine, James	DiFranco, Debbie
Francese, Paula	Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia
Matthews, Carolyn	McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Ward, Gerald	Wood, David	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
DiSesa, Len	Gray, James	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Converse, Larry	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	O'Hearne, Andrew	Schmidt, Andrew	

and the majority committee report was adopted and ordered to third reading.

HB 213, establishing an energy awareness commission. **INEXPEDIENT TO LEGISLATE.**
Rep. Herbert R. Vadney for Science, Technology and Energy. This bill would establish a special committee to focus on educating society to be more aware of energy issues. It is hard to imagine how any subject could get more visibility than energy already gets in radio, television, print media, schools, etc. Vote 15-3. Committee report adopted.

HB 316, establishing a committee to study offshore wind energy production. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Herbert R. Vadney for the Majority of Science, Technology and Energy. The recently completed study of offshore wind painted a fairly dismal future for offshore wind. Although it is the place where the wind blows best, it is also where it is most difficult to install, to connect and to manage. Most of the currently installed offshore turbines are in shallow water (less than 50 feet). Our water past the Isle of Shoals gets deep very quickly dropping to 200-400 feet within four miles. No wind turbine anywhere has been installed in water even close to that depth. Further, the multiple line splices required to connect deep underwater transmission lines are extremely difficult. At best, another off-shore wind study now would be extremely premature. Vote 11-7.
Rep. Charles L. Townsend for the Minority of Science, Technology and Energy. A similar committee established through HB 1312 during the 2014 session met seven times and developed a great deal of information, including a finding that New Hampshire should continue to coordinate with the offshore wind development projects in Massachusetts and Maine. Continuing coordination will facilitate a request to the federal Bureau of Ocean Energy Management to identify suitable areas for wind energy development in the Massachusetts/New Hampshire/Maine offshore areas. Majority committee report adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Flanagan moved that the House reconsider its action whereby, on a division vote of 172-167, the House adopted the majority committee report of Inexpedient to Legislate on **HB 416-L,** relative to compensation for members of the Coos county convention.
Rep. Flanagan spoke against.
Rep. Porter spoke in favor.
On a division vote, 205 members having voted in the affirmative and 138 in the negative, the motion was adopted.

CONSIDERATION OF HB 416-L

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Porter spoke against and yielded to questions.
Reps. Kappler and James Belanger spoke in favor.
Rep. Burt requested a roll call; sufficiently seconded.

YEAS 163 - NAYS 191

YEAS - 163

BELKNAP

Aldrich, Glen	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Varney, Peter	

CARROLL

Avellani, Lino	Comeau, Ed	Schmidt, Stephen	Wright, Ted

CHESHIRE

Bordenet, John	Hunt, John	McConnell, Jim	Pearson, William

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	

GRAFTON

Bailey, Brad	Gionet, Edmond	Ingbretson, Paul	Johnson, Eric
Ladd, Rick			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Coffey, James	Cohen, Alan	Danielson, David
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Gonzalez, Carlos	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Jeudy, Jean	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	McClarren, Donald	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ohm, Bill	Parison, James	Pellegrino, Anthony	Peterson, Ken
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Scontsas, Lisa	Silva, Peter	Simmons, Tammy
Straight, Phillip	Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Hess, David	Hoell, J.R.	Horn, Werner	Kotowski, Frank
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	DeSimone, Debra	Devine, James	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Friel, William	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Major, Norman	Matthews, Carolyn
McKinney, Betsy	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Osborne, Jason	Packard, Sherman	Potucek, John	Priestley, Anne
Rice, Frederick	Schroadter, Adam	Spillane, James	Tasker, Kyle
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Welch, David			

STRAFFORD

Beaudoin, Steven	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Sprague, Dale
Stevens, Audrey	Turcotte, Leonard	Whitehouse, Joshua	

SULLIVAN

Laware, Thomas	O'Hearne, Andrew	Rollins, Skip	Smith, Steven

NAYS - 191

BELKNAP

Dumais, Russell | Fields, Dennis | Vadney, Herbert

CARROLL

Buco, Thomas | Butler, Edward | Cordelli, Glenn | Crawford, Karel
McConkey, Mark | Nelson, Bill | Parker, Harold | Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Chase, Cynthia
Eaton, Daniel | Emerson, Susan | Ley, Douglas | Parkhurst, Henry
Phillips, Larry | Roberts, Kris | Robertson, Timothy | Sad, Tara
Shepardson, Marjorie | Tatro, Bruce | Tilton, Benjamin | Weber, Lucy

COOS

Froburg, Alethea | Hatch, William | Rappaport, Laurence | Rideout, Leon
Theberge, Robert | Tholl, John | Thomas, Yvonne

GRAFTON

Abel, Richard | Almy, Susan | Bennett, Travis | Brown, Chris
Brown, Duane | Brown, Rebecca | Cooney, Mary | Darrow, Stephen
Ford, Susan | Hennessey, Erin | Hennessey, Martha | Higgins, Patricia
Maes, Kevin | Massimilla, Linda | Nordgren, Sharon | Piper, Wendy
Shackett, Jeffrey | Smith, Suzanne | Sykes, George | Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert | Beaulieu, Jane | Booras, Efstathia | Cornell, Patricia
DiSilvestro, Linda | Donovan, Daniel | Ferreira, Elizabeth | Freitas, Mary
Goley, Jeffrey | Gorman, Mary | Griffin, Barbara | Haefner, Robert
Hansberry, Daniel | Harvey, Suzanne | Heath, Mary | Herbert, Christopher
Jack, Martin | Leishman, Peter | Long, Patrick | Mangipudi, Latha
Manley, Jonathan | Marston, Dick | McLean, Mark | O'Brien, Michael
Ober, Russell | Pierce, David | Porter, Marjorie | Proulx, Mark
Roberts, Carol | Rosenwald, Cindy | Seidel, Carl | Shattuck, Gilman
Shaw, Barbara | Smith, Gregory | Smith, Timothy | Snow, Kendall
Soucy, Timothy | Sullivan, Daniel | Takesian, Charlene | Vann, Ivy
Walsh, Robert | Williams, Kermit | Woodbury, David

MERRIMACK

Alicea, Caroletta | Bartlett, Christy | Bradley, Paula | Brewster, Michael
Carson, Clyde | Deloge, Helen | Doherty, David | Ebel, Karen
Frazer, June | French, Barbara | French, Harold | Gile, Mary
Henle, Paul | Hill, Gregory | Hirsch, Geoffrey | Karrick, David
Kenison, Linda | Kidder, David | Luneau, David | MacKay, James
McGuire, Dan | Moffett, Howard | Myler, Mel | Parent, Jason
Patten, Dick | Ratzki, Mario | Rice, Harold (Chip) | Rogers, Katherine
Saunderson, George | Schuett, Dianne | Shurtleff, Stephen | Turcotte, Alan
Wallner, Mary Jane

ROCKINGHAM

Allen, Mary | Barnes, Arthur | Belanger, Ronald | Berrien, Skip
Borden, David | Bush, Carol | Cahill, Michael | Cali-Pitts, Jacqueline
Cardon, G. Thomas | Cushing, Robert | DiFranco, Debbie | Doucette, Fred
Francese, Paula | Gordon, Pamela | Heffron, Frank | Lovejoy, Patricia
McBeath, Rebecca | Pantelakos, Laura | Peckham, Michele | Prudhomme-O'Brien, Katherine

Sanders, Elisabeth	Sherman, Thomas	Simpson, Alexis	Sweeney, Joe
Thomas, Douglas	Tucker, Pamela	Ward, Gerald	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gray, James	Groen, Warren
Horrigan, Timothy	Kaen, Naida	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Schmidt, Andrew

and the majority committee report failed.
Rep. Shurtleff moved the minority committee report of Ought to Pass.

PARLIAMENTARY INQUIRY

Rep. Kappler inquired if **HB 416-L,** relative to compensation for members of the Coos county convention, could be laid on the table. The Speaker stated the motion would be out of order.

The question now being adoption of the minority committee report of Ought to Pass.
On a division vote, 200 members having voted in the affirmative and 155 in the negative, the minority committee report was adopted and ordered to third reading.

REGULAR CALENDAR CONT'D

HB 379, establishing a commission to study the effects of ocean acidification on commercially harvested species. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill sought to establish a commission to study the effects of ocean acidification on commercially harvested species. Testimony revealed that many regional organizations have ongoing research projects to study this problem. New Hampshire Department of Environmental Services (DES) has representatives on one or more of these organizations. University of New Hampshire scientists are also studying this problem. Vote 10-9.
Rep. David A. Borden for the Minority of Science, Technology and Energy. Acidification has increased dramatically in the world's oceans, threatening hard-shelled species including lobsters. The minority of the committee felt that we should join Maine, Massachusetts, Rhode Island and the Maritime Provinces of Canada, which all have commissions to study this issue. The New Hampshire acidification commission will focus on how this growing problem will affect our fishing industry and help us present a united regional front in dealing with the federal government.

LAID ON THE TABLE

Rep. Borden moved that **HB 379,** establishing a commission to study the effects of ocean acidification on commercially harvested species, be laid on the table.
On a division vote, 218 members having voted in the affirmative and 121 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 382, establishing a committee to study facilitating private investment in energy efficiency and renewable energy. **OUGHT TO PASS.**
Rep. Marjorie J. Shepardson for Science, Technology and Energy. This bill addresses two of the recommendations in the 10-Year State Energy Strategy: "improve consumer access to financing," and "attract private financing." There is enormous, pent up demand for energy investment and private investors are interested in energy efficiency, but we have not yet seen significant investment in New Hampshire. A study committee would be an effective way to start finding a solution that would benefit the state's ratepayers while helping us become more energy efficient. Vote 10-9.
Committee report adopted and ordered to third reading.

HB 409, banning corn-based ethanol as an additive to gasoline in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas W. Thomas for the Majority of Science, Technology and Energy. The majority of the committee felt that this bill would increase the price of gasoline by requiring 100% pure gasoline for New Hampshire only. Currently, all states in the region use a 10% blend of corn ethanol to gasoline (E10). Gasoline is more expensive than ethanol; production costs would be greater due to a unique and smaller amount refined, and delivery costs would increase since special deliveries would be needed. The vast majority of vehicles and newer model 2-cycle engines have been manufactured to accept E10 without harm to the engine and now run more efficiently. Corn used for ethanol is not used for food, but produces high-valued co-products, one of which lowers the cost of animal feed. In fact, since 2005 the price of food has increased at nearly the rate of the consumer price index and has not been affected by the increased production of corn for ethanol. Other gains in the environment by the use of E10 were also noted. Although arguments were heard that 100% gasoline is a slightly more efficient fuel than E10, the committee felt that the potential downside of New Hampshire being the only state without ethanol gasoline outweighed this one factor. Vote 17-1.

Rep. Jeanine M. Notter for the Minority of Science, Technology and Energy. The minority of one understands the committee's reasons for voting against the repeal. The lone "nayer" voted on principle: ethanol attracts water, causing rust, especially in smaller engines. Gasoline without ethanol costs more but the gas mileage improves. Gasoline without the 10% ethanol is available in a few locations. Airports were mentioned during the hearing. Some people do go the distance to buy gas without 10% ethanol, such as flyers of RC planes, or the prime sponsor of the bill.

Majority committee report adopted.

HB 543, repealing the electric renewable portfolio standard. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Herbert D. Richardson for the Majority of Science, Technology and Energy. This is the third of the three bills seeking to change the state's renewable portfolio law. After several hours of testimony, the vast majority of which opposed the bill, the committee recommends no further changes to the RPS program. This bill would have repealed the program altogether; to do so would eliminate hundreds of jobs and harm the state's renewable energy and forest industries. The renewable portfolio law's benefits are significant, ranging from encouraging schools and hospitals and a county complex to install wood pellet boilers to homeowner and municipal solar installations, to the state's largest biomass plant having been built in Berlin, and to the retention of the state's existing hydroelectric facilities and existing biomass plants and associated forestry jobs. For the same reasons noted in HB 234, we recommend the bill as ITL. Vote 17-2.

Rep. Jeanine M. Notter for the Minority of Science, Technology and Energy. First and foremost, the minority does have compassion for the woodsmen of New Hampshire. The committee heard from many businesses who said that they could not stay in business if it were not for the RPS mandate. What the minority objects to is the welfare subsidies creating jobs as opposed to the free market. It is taxing one group to give to another, which is against our principles. It is bad economics that increases the cost of electricity.

LAID ON THE TABLE

Rep. Richardson moved that **HB 543,** repealing the electric renewable portfolio standard, be laid on the table.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 253 - NAYS 95

YEAS - 253

BELKNAP

Fields, Dennis	Gallagher, Brian	Hurt, George	LeBreche, Shari
Luther, Robert	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Butler, Edward	Chandler, Gene	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Ferreira, Elizabeth
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Murotake, David
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
McGuire, Carol
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert

Katsakiores, Phyllis
Lovejoy, Patricia
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Thomas, Douglas
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Leeman, Don
Mullen, John
Pitre, Joseph
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Schmidt, Andrew
Smith, Steven

NAYS - 95

BELKNAP

Aldrich, Glen
Fraser, Valerie
Howard, Jr., Raymond
Spanos, Peter
Sylvia, Michael

CARROLL

Avellani, Lino
Buco, Thomas
Comeau, Ed
Cordelli, Glenn
Wright, Ted

CHESHIRE

Chase, Cynthia
McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Bennett, Travis
Brown, Duane
Darrow, Stephen
Ingbretson, Paul
Johnson, Eric
Massimilla, Linda

HILLSBOROUGH

Boehm, Ralph
Bouldin, Amanda
Burt, John
Christie, Rick
Coffey, James
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Fromuth, Bart
Goulette, William
Hansen, Peter
Hogan, Edith
Hopper, Gary
Lachance, Joseph
Marston, Dick
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Rice, Kimberly
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Sullivan, Victoria
Twombly, Timothy

MERRIMACK

Alicea, Caroletta
Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Bates, David
Cook, Allen
Elliott, Robert
Emerick, J. Tracy
Gannon, William
Harris, Jeffrey
Hodgdon, Bruce
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem

Major, Norman	Oligny, Jeffrey	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Tasker, Kyle	True, Chris
Tucker, Pamela	Wood, David		

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Rollo, Deanna	Turcotte, Leonard	Verschueren, James
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Laware, Thomas	Rollins, Skip

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 196, requiring the removal of identifying features from vehicles formerly used as ambulances. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. George E. Sykes for the Majority of Transportation. This bill will regulate that a vehicle formerly used as a rescue vehicle or an ambulance can no longer have a siren, emergency lights, lettering with words such as emergency, ambulance or rescue. This will lessen the chance these used vehicles will be mistaken as a licensed ambulance or rescue vehicle, state, county, and municipal vehicle (leased or owned) by those entities, the American Red Cross, or transporting EMS agencies. Duly registered antique vehicles are exempt. The amendment clarifies the definitions allowing restored antique ambulances to retain their markings, and private EMS companies to also retain theirs. Vote 17-1.

Rep. Bruce E. Hodgdon for the Minority of Transportation. The minority feels that this bill puts a burden on a small business that purchases the vehicle by making them paint and remove all articles when it should be the seller. The bill should say, "Prior to selling or transfer of title, the owner or lessee shall remove all lights, lettering, siren, and repaint."

Majority Amendment (0282h)

Amend RSA 266:78-r as inserted by section 1 of the bill by replacing it with the following:

266:78-r Vehicle Formerly Used as Ambulance to Have Identifying Features Removed.

Prior to driving on the ways of the state, a vehicle which was formerly used as an ambulance or rescue vehicle but is no longer licensed as an ambulance under RSA 159-A, a person shall remove any siren, emergency lights, gold lettering, red cross, caduceus, or other medical insignia, "Keep back 500 feet," "Emergency," "Ambulance," "Rescue," or other lettering or insignia that might cause the vehicle to be mistaken for a working ambulance or rescue vehicle. The vehicle shall be repainted a different color than the traditional red and white pattern so that it is readily distinguishable from an ambulance. This section shall not apply to vehicles owned or leased by state, county, or municipal emergency response agencies, the American Red Cross, duly registered antique vehicles, or licensed transporting EMS agencies.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Proulx spoke against.

Rep. Sykes spoke in favor and yielded to questions.

On a division vote, 263 members having voted in the affirmative and 73 in the negative, the majority committee report was adopted and ordered to third reading.

HB 467-FN, relative to the expiration of OHRV registrations and repealing the authority for 14-month initial OHRV registrations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Walsh for Transportation. This bill, as amended, allows the fish and game department to issue 14-month OHRV registrations (includes May and June) for all registrants, not just for initial registrations, which are currently allowed. This is a convenience for the growing number of OHRV enthusiasts and has the support of the fish and game department. The committee amendment also removes the costs of the original bill. Vote 14-0.

Amendment (0292h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the 14-month registration of off highway recreational vehicles.

Amend the bill by replacing all after the enacting clause with the following:

1 Off Highway Recreational Vehicles; Registrations; 14-Month. Amend the introductory paragraph of RSA 215-A:21, X to read as follows:

X. The executive director shall issue to a person applying therefor a 14-month registration to include the months of May and June for an [~~initial~~] registration of an OHRV under RSA 215-A:23, provided that the prorated [~~initial~~] registration fee and the appropriation from each fee shall be as follows:

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill allows the fish and department to issue 14-month OHRV registrations. Current law allows the 14-month registration only on the initial registration.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire. **OUGHT TO PASS.**

Rep. Thomas C. Walsh for Transportation. Out of state businesses with locations in NH have the option to register their vehicles in other states. This bill requires that vehicles, which are garaged here and travel our roads, contribute to NH by also being registered here. Vote 15-0.

Rep. Abramson spoke against.

Rep. Thomas Walsh spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Kappler moved that **HB 559-FN,** relative to vehicle registration by entities doing business in New Hampshire, be laid on the table.

On a division vote, 97 members having voted in the affirmative and 235 in the negative, the motion failed.

Committee report of Ought to Pass adopted and ordered to third reading.

REGULAR CALENDAR CONT'D

HB 621-FN, establishing fines for violations of the "wide berth" laws. **OUGHT TO PASS.**

Rep. Werner D. Horn for Transportation. This bill addresses an oversight in the existing wide berth laws where no fine was set for violations. Currently, violators are required to appear in court and learn of the fine there. This bill establishes a uniform fine structure. Vote 14-1.

Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 302, requiring a public hearing prior to the submission of a grant application by the department of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education. There are already sufficient checks and balances in place regarding grant applications by DOE. It is a comprehensive process with timelines and several layers of oversight, including executive council members and governor. Why add yet another level of government to what's already in place when there is no evidence of abuse, or misuse of funds to warrant policy change? Additionally, the federal government and the Legislative Budget Assistant (upon request) audit all grants in place. This bill is unnecessary. Vote 18-2.

Rep. Ladd spoke in favor.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 260 - NAYS 77

YEAS - 260

BELKNAP

Fields, Dennis	Fraser, Valerie	Gallagher, Brian	Hurt, George
LeBreche, Shari	Luther, Robert	Tilton, Franklin	Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Cordelli, Glenn
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
McConnell, Jim
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
O'Brien, Michael
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Marple, Richard
Martin, John
Moffett, Howard
Myler, Mel
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael

Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Harris, Jeffrey
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Rice, Frederick
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Thomas, Douglas
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth
Wuelper, Kurt

SULLIVAN

Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Rollins, Skip
Schmidt, Andrew

NAYS - 77

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Spanos, Peter
Sylvia, Michael
Vadney, Herbert

CARROLL

Avellani, Lino
Comeau, Ed
Wright, Ted

COOS

Rideout, Leon

GRAFTON

Hennessey, Erin
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Boehm, Ralph
Burt, John
Christiansen, Lars
Christie, Rick
Coffey, James
Eastman, Eric
Edwards, Elizabeth
Ferreira, Elizabeth
Fromuth, Bart
Hansen, Peter
Hogan, Edith
Hopper, Gary
Lachance, Joseph
Marston, Dick
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Rice, Kimberly
Schleien, Eric
Silva, Peter
Simmons, Tammy
Smith, Gregory
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
McGuire, Carol
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Allen, Mary
Baldasaro, Alfred
Bates, David
Duarte, Joe
Gordon, Richard
Hodgdon, Bruce
Itse, Daniel

Kappler, Lawrence
Kellogg, Shem
Oligny, Jeffrey
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Spillane, James
Sweeney, Joe
True, Chris
Tucker, Pamela
Vose, Michael

STRAFFORD

Groen, Warren
Hannon, Joseph
Kaczynski, Jr., Thomas
Knowles, Robert
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest
Converse, Larry

and the committee report was adopted.

HB 228, relative to showing or specially marking a ballot. **INEXPEDIENT TO LEGISLATE.** Rep. James P. Gray for Election Law. RSA 659:35 is designed to keep a person from selling his or her vote by requiring a marked ballot to be kept private. This law was updated last year to add references to digital images photographs. It is currently the subject of a lawsuit. The committee believes that it should not be changed prior to the conclusion of the court action. Vote 16-0.

MOTION TO LAY ON THE TABLE

Rep. Rideout moved that **HB 228,** relative to showing or specially marking a ballot, be laid on the table. On a division vote, 149 members having voted in the affirmative and 184 in the negative, the motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate. Rep. Rideout requested a roll call; sufficiently seconded.

YEAS 253 - NAYS 89

YEAS - 253

BELKNAP

Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Hurt, George
LeBreche, Shari
Luther, Robert
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Biggie, Barbara
Cohen, Alan
Donovan, Daniel
Gargasz, Carolyn
Griffin, Barbara
Heath, Mary
Jeudy, Jean
Long, Patrick
O'Brien, Michael
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Smith, Timothy
Sullivan, Daniel
Williams, Kermit
Balcom, John
Booras, Efstathia
Cornell, Patricia
Flanagan, Jack
Goley, Jeffrey
Haefner, Robert
Hinch, Richard
Kurk, Neal
Mangipudi, Latha
Ober, Lynne
Peterson, Ken
Roberts, Carol
Shattuck, Gilman
Snow, Kendall
Takesian, Charlene
Woodbury, David
Barry, Richard
Brown, Pamela
Danielson, David
Freitas, Mary
Gonzalez, Carlos
Hansberry, Daniel
Hogan, Edith
LeBrun, Donald
Manley, Jonathan
Ober, Russell
Pierce, David
Rosenwald, Cindy
Shaw, Barbara
Soucy, Timothy
Vann, Ivy
Zaricki, Nick
Belanger, James
Christensen, Chris
DiSilvestro, Linda
Gagne, Larry
Gorman, Mary
Harvey, Suzanne
Jack, Martin
Leishman, Peter
McClarren, Donald
Parison, James
Porter, Marjorie
Rouillard, Claire
Smith, Gregory
Straight, Phillip
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hill, Gregory
Kenison, Linda
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane
Bartlett, Christy
Doherty, David
Gile, Mary
Hirsch, Geoffrey
Kidder, David
MacKay, James
Ratzki, Mario
Schuett, Dianne
Walsh, Thomas
Bradley, Paula
Ebel, Karen
Henle, Paul
Horn, Werner
Kotowski, Frank
Marple, Richard
Rice, Harold (Chip)
Shurtleff, Stephen
Carson, Clyde
Frazer, June
Hess, David
Karrick, David
Kuch, Bill
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cahill, Michael
Christie, Andrew
Devine, James
Elliott, Robert
Friel, William
Guthrie, Joseph
Katsakiores, Phyllis
McBeath, Rebecca
Packard, Sherman
Sanders, Elisabeth
Sweeney, Joe
Welch, David
Allen, Mary
Berrien, Skip
Cali-Pitts, Jacqueline
Cook, Allen
DiFranco, Debbie
Emerick, J. Tracy
Gannon, William
Heffron, Frank
Lovejoy, Patricia
McKinney, Betsy
Pantelakos, Laura
Schroadter, Adam
Vose, Michael
Weyler, Kenneth
Azarian, Gary
Borden, David
Cardon, G. Thomas
Cushing, Robert
Doucette, Fred
Ferrante, Beverly
Gordon, Pamela
Hoelzel, Kathleen
Major, Norman
Nigrello, Robert
Potucek, John
Sherman, Thomas
Ward, Gerald
Woitkun, Steven
Barnes, Arthur
Bush, Carol
Chase, Francis
DeSimone, Debra
Duarte, Joe
Francese, Paula
Griffin, Mary
Introne, Robert
Matthews, Carolyn
O'Connor, John
Priestley, Anne
Simpson, Alexis
Webb, James
Wood, David

STRAFFORD

Baber, William
DiSesa, Len
Leeman, Don
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth
Bickford, David
Gray, James
Mullen, John
Southworth, Thomas
Treleaven, Susan
Wuelper, Kurt
Bixby, Peter
Horrigan, Timothy
Rollo, Deanna
Spang, Judith
Verschueren, James
Burton, Wayne
Kaen, Naida
Schmidt, Peter
Sprague, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Smith, Steven
Gagnon, Raymond
Laware, Thomas
Gottling, Suzanne
O'Hearne, Andrew
Grenier, James
Rollins, Skip

NAYS - 89

BELKNAP

Aldrich, Glen	Howard, Jr., Raymond	Spanos, Peter	Sylvia, Michael

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Ingbretson, Paul	Johnson, Eric	Piper, Wendy

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Burt, John
Byron, Frank	Christiansen, Lars	Christie, Rick	Coffey, James
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Halstead, Carolyn
Hansen, Peter	Hopper, Gary	Infantine, William	Lachance, Joseph
Marston, Dick	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Rice, Kimberly
Schleien, Eric	Scontsas, Lisa	Seidel, Carl	Silva, Peter
Simmons, Tammy	Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan
Wolf, Terry			

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Chirichiello, Brian
Fesh, Robert	Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Oligny, Jeffrey
Osborne, Jason	Peckham, Michele	Prudhomme-O'Brien, Katherine	Rice, Frederick
Spillane, James	Thomas, Douglas	True, Chris	Tucker, Pamela
Ward, Joanne			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Pitre, Joseph	Turcotte, Leonard
Whitehouse, Joshua			

SULLIVAN

Bridge, Ernest	Converse, Larry

and the committee report was adopted.

HB 406, relative to the date of the state primary election. **INEXPEDIENT TO LEGISLATE.** Rep. Robert A. Luther for Election Law. This bill would amend RSA 653:8, state primary elections. These elections are now held on the second Tuesday in September of every even numbered year. This bill would move the primary to the first Tuesday in June of every even numbered year. It would change the filing dates from June to March. The committee felt the change in date was too great and the filing dates would be too significant a change for towns, with all their priorities, town meetings, tax collecting, etc. Vote 18-0.

Rep. Joe Sweeney spoke against.

Rep. Luther spoke in favor.

Committee report adopted.

HB 620-FN, relative to the Interstate Voter Registration Crosscheck Program. **INEXPEDIENT TO LEGISLATE.**
Rep. Duane R. Brown for Election Law. The bill would authorize the secretary of state to enter New Hampshire into the Interstate Voter Registration Crosscheck Program. While it is important to maintain accurate voter rolls, this program has proven itself untrustworthy and three states have already withdrawn. A major concern is providing personal voter information to a third party in addition to other states. The potential for fraud and identity theft is great. Vote 15-1.
Committee report adopted.

HB 627-FN, relative to registering to vote. **INEXPEDIENT TO LEGISLATE.**
Rep. Barbara J. Griffin for Election Law. Currently, New Hampshire is exempt from some of the provisions of the National Voter Registration Act (NHRA) because we are among the states that register voters on election day. This bill proposes to eliminate election day registration, which would trigger the NHRA requirement for a number of state agencies to register voters. The cost of this change is reported to be indeterminable, but sweeping in scope and deemed "significant." The current process of same day registration is part of our state system that results in voter participation rates that are higher than other states. Given the financial consequences and voter participation rates, the committee believed this bill was inappropriate. Vote 16-0.
Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 275 - NAYS 64

YEAS - 275

BELKNAP

Fields, Dennis	Fraser, Valerie	Gallagher, Brian	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Duane
Brown, Rebecca	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Adams, Christopher	Backus, Robert	Balcom, John	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Booras, Efstathia
Bouldin, Amanda	Brown, Pamela	Byron, Frank	Christensen, Chris
Christie, Rick	Cohen, Alan	Cornell, Patricia	Danielson, David

DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Ferreira, Elizabeth
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Hogan, Edith
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McClarren, Donald
O'Brien, Michael
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kotowski, Frank
Luneau, David
MacKay, James
Marple, Richard
McGuire, Dan
Moffett, Howard
Myler, Mel
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Harris, Jeffrey
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Packard, Sherman
Pantelakos, Laura
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Wood, David

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gray, James
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Leeman, Don
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth
Wuelper, Kurt

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Rollins, Skip
Smith, Steven

NAYS - 64

BELKNAP

Aldrich, Glen | Howard, Jr., Raymond | Sylvia, Michael

CARROLL

Avellani, Lino | Comeau, Ed | Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Ingbretson, Paul | Johnson, Eric

HILLSBOROUGH

Boehm, Ralph | Burt, John | Christiansen, Lars | Coffey, James
Fromuth, Bart | Goulette, William | Hansen, Peter | Lachance, Joseph
LeBrun, Donald | McLean, Mark | Moore, Josh | Murphy, Keith
Notter, Jeanine | O'Brien, William | Ohm, Bill | Rice, Kimberly
Sanborn, Laurie | Schleien, Eric | Seidel, Carl | Silva, Peter
Smith, Gregory | Twombly, Timothy

MERRIMACK

Brewster, Michael | French, Harold | Hill, Gregory | Hoell, J.R.
Kuch, Bill | Martin, John | McGuire, Carol

ROCKINGHAM

Abramson, Max | Baldasaro, Alfred | Duarte, Joe | Gordon, Richard
Hodgdon, Bruce | Itse, Daniel | Kappler, Lawrence | Kellogg, Shem
Osborne, Jason | Peckham, Michele | Rice, Frederick | Spillane, James
Thomas, Douglas | True, Chris | Tucker, Pamela | Woitkun, Steven

STRAFFORD

Beaudoin, Steven | Groen, Warren | Hannon, Joseph | Kaczynski, Jr., Thomas
Knowles, Robert | Pitre, Joseph | Turcotte, Leonard | Whitehouse, Joshua

SULLIVAN

Bridge, Ernest

and the committee report was adopted.

HB 665-FN, relative to nomination papers. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen F. Souza for Election Law. This bill would change the number of nominations to get on the ballot. The committee felt the number was so drastically reduced that as few as 4 or 5 nominations were all that be required for some races. In addition, this bill would allow non-defined volunteer service to substitute for signatures. The committee saw many problems and ambiguities with this. Vote 15-1.

Rep. Hoelzel spoke in favor.

Rep. Abramson spoke against and requested a roll call; sufficiently seconded.

YEAS 286 - NAYS 56

YEAS - 286

BELKNAP

Fields, Dennis | Fraser, Valerie | Gallagher, Brian | Hurt, George
LeBreche, Shari | Luther, Robert | Spanos, Peter | Tilton, Franklin
Vadney, Herbert

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Cordelli, Glenn
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Parkhurst, Henry
Pearson, William
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Christie, Rick
Coffey, James
Cohen, Alan
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McClarren, Donald
Notter, Jeanine
O'Brien, Michael
Ober, Lynne
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Silva, Peter
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Marple, Richard
McGuire, Dan
Moffett, Howard
Myler, Mel
Ratzki, Mario
Rice, Harold (Chip)
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Bates, David	Belanger, Ronald	Berrien, Skip	Borden, David
Bush, Carol	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
Cushing, Robert	DeSimone, Debra	Devine, James	DiFranco, Debbie
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Gannon, William	Gordon, Pamela	Griffin, Mary	Heffron, Frank
Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis	Lovejoy, Patricia
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
Nigrello, Robert	O'Connor, John	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine
Sanders, Elisabeth	Schroadter, Adam	Sherman, Thomas	Simpson, Alexis
Sweeney, Joe	Thomas, Douglas	True, Chris	Vose, Michael
Ward, Gerald	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gray, James	Horrigan, Timothy
Jones, Laura	Kaen, Naida	Knowles, Robert	Leeman, Don
Mullen, John	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Verschueren, James	Wall, Janet	Ward, Kenneth
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Laware, Thomas
O'Hearne, Andrew	Rollins, Skip	Smith, Steven	

NAYS - 56

BELKNAP

Aldrich, Glen	Howard, Jr., Raymond	Sylvia, Michael	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Wright, Ted

CHESHIRE

McConnell, Jim	Phillips, Larry

COOS

Rideout, Leon

HILLSBOROUGH

Adams, Christopher	Bouldin, Amanda	Burt, John	Christiansen, Lars
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth
Fromuth, Bart	Goulette, William	Hogan, Edith	Lachance, Joseph
McLean, Mark	Moore, Josh	Murphy, Keith	O'Brien, William
Rice, Kimberly	Schleien, Eric	Zaricki, Nick	

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Martin, John
McGuire, Carol	Rogers, Katherine	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Gordon, Richard	Guthrie, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Oligny, Jeffrey	Osborne, Jason	Rice, Frederick
Spillane, James	Tucker, Pamela		

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Pitre, Joseph	Whitehouse, Joshua		

and the committee report was adopted.

HB 202, repealing the authority for the dispensing of prescription drugs in certain clinics. **INEXPEDIENT TO LEGISLATE.**
Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. The sponsor of this bill was particularly concerned about the use of mifepristone to produce medical abortions. The bill, as drafted, would have no effect on medical abortions, as registered nurses do not dispense these drugs. However, if passed, the bill would have significant adverse effects on basic and routine health care, particularly in rural and underserved areas in particular, the bill would interfere with pregnancy prevention in that it would prohibit the dispensing of birth control pills. It would also interfere with the treatment of sexually transmitted diseases, as it would prohibit the routine dispensing of antibiotics. Vote 14-0.
Committee report adopted.

HB 489, relative to annulment of mental health records. **INEXPEDIENT TO LEGISLATE.**
Rep. Kendall A. Snow for Health, Human Services and Elderly Affairs. This bill is a positive step towards enhancing the consumer rights and privacy of persons affected by mental illness and it is an important factor in reducing the stigma that could negatively impact the affected person. However, the actual records subject to annulment needs to be refined and more precisely defined as to what medical records are exempt from annulment. Some stakeholder concerns regarding waiting periods and limits on the number of annulments that can be pursued, needs to be considered. Vote 15-0.

MOTION TO LAY ON THE TABLE

Rep. Hannon moved that **HB 489,** relative to annulment of mental health records, be laid on the table.
Motion failed.
Committee report adopted.

HB 435, relative to persons held in civil contempt. **INEXPEDIENT TO LEGISLATE.**
Rep. Timothy O. Horrigan for Judiciary. This bill would have made it much harder to collect civil judgments, by restricting the courts' ability to incarcerate persons for civil contempt. The losing defendant would be able to delay the collection process by demanding a hearing to find that he had sufficient liquid assets. The bill would do nothing to prevent defendants from diverting their liquid assets before the hearing. The bill would also forbid the courts from requiring a defendant to sell his or her principal residence and sole motor vehicle to satisfy a civil contempt finding, which would especially complicate family law cases. Bankruptcy law specifically excludes child support obligations from the list of debts, which can be discharged, but this bill included no such exclusion. Several of the witnesses who spoke in favor of this bill were parents who had been penalized under the current civil contempt regulations after failing to pay child support and/or alimony. This bill would have added a new section to RSA 491, which deals with the superior court system, but failed to add an equivalent section to RSA 502-A, which deals with the circuit court system, including the family courts. Finally, this bill only attempts to protect citizens of New Hampshire, which discriminates against citizens of other states who happen to be civil defendants in New Hampshire courts, as well as resident aliens. Vote 14-2.
Committee report adopted.

HB 224-FN, repealing the exemption for water and air pollution control facilities from local property taxation. **INEXPEDIENT TO LEGISLATE.**
Rep. Bruce L. Tatro for Municipal and County Government. The committee decided that repealing this exemption would be anti-business and testimony from industry indicated the additional tax would either be passed on to consumers or might actually cause their companies to relocate to another state. Vote 15-1.

Rep. Frederick Rice spoke against.
Rep. Cushing spoke against and yielded to questions.
Reps. Burt and James Belanger spoke in favor.
Rep. Frederick Rice requested a roll call; not sufficiently seconded.
On a division vote, 249 members having voted in the affirmative and 77 in the negative, the committee report was adopted.

HB 525, relative to appropriations in the county budget. **INEXPEDIENT TO LEGISLATE.**
Rep. James E. Coffey for Municipal and County Government. This bill defines an appropriation as a single line item in a county budget. The committee felt this was micromanaging and would be a burden to most counties. Vote 16-1.
Committee report adopted.

HCR 2, applying to Congress to hold a convention for amendments. **OUGHT TO PASS.**
Rep. Timothy J. Smith for State-Federal Relations and Veterans Affairs. This resolution applies to congress to hold a convention for proposing amendments for the sole purpose of getting money out of politics and restoring free and fair elections at all levels of government. Vote 13-2.

MOTION TO LAY ON THE TABLE

Rep. Notter moved that **HCR 2,** applying to Congress to hold a convention for amendments, be laid on the table.
Rep. Timothy Smith requested a roll call; not sufficiently seconded.
On a division vote, 156 members having voted in the affirmative and 170 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass.
Reps. McConnell and Baldasaro spoke against and yielded to questions.
Rep. Timothy Smith spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 134

YEAS - 181

BELKNAP

Aldrich, Glen	Fields, Dennis	Gallagher, Brian	Hurt, George
Vadney, Herbert	Varney, Peter		

CARROLL

McConkey, Mark	Schmidt, Stephen	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Emerson, Susan	Ley, Douglas
Parkhurst, Henry	Pearson, William	Shepardson, Marjorie	Tilton, Benjamin

COOS

Fothergill, John	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Bailey, Brad	Brown, Chris	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Johnson, Eric	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Smith, Suzanne
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Adams, Christopher	Backus, Robert	Balcom, John	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Brown, Pamela	Christensen, Chris	Christiansen, Lars	Christie, Rick

Cohen, Alan
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Freitas, Mary
Gargasz, Carolyn
Goley, Jeffrey
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Jack, Martin
Jeudy, Jean
LeBrun, Donald
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McClarren, Donald
Moore, Josh
O'Brien, Michael
Ober, Lynne
Ober, Russell
Parison, James
Peterson, Ken
Proulx, Mark
Roberts, Carol
Seidel, Carl
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Wolf, Terry
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kotowski, Frank
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Rice, Harold (Chip)
Rogers, Katherine
Shurtleff, Stephen
Turcotte, Alan

ROCKINGHAM

Abramson, Max
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Bush, Carol
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cook, Allen
Cushing, Robert
Doucette, Fred
Duarte, Joe
Ferrante, Beverly
Francese, Paula
Friel, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Heffron, Frank
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Matthews, Carolyn
Pantelakos, Laura
Potucek, John
Priestley, Anne
Sherman, Thomas
Simpson, Alexis
Tucker, Pamela
Vose, Michael
Ward, Gerald
Ward, Joanne
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Leeman, Don
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 134

BELKNAP

Fraser, Valerie
Howard, Jr., Raymond
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin

CARROLL

Avellani, Lino
Butler, Edward
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
Nelson, Bill
Parker, Harold
Ticehurst, Susan
Wright, Ted

CHESHIRE

Berch, Paul
Chase, Cynthia
Eaton, Daniel
McConnell, Jim
Sad, Tara
Sterling, Franklin
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Rideout, Leon			

GRAFTON

Almy, Susan	Brown, Duane	Ford, Susan	Ingbretson, Paul
Nordgren, Sharon	Sykes, George		

HILLSBOROUGH

Barry, Richard	Burt, John	Byron, Frank	Coffey, James
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gorman, Mary
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hogan, Edith	Infantine, William
Kurk, Neal	Lachance, Joseph	Leishman, Peter	McLean, Mark
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ohm, Bill
Pellegrino, Anthony	Pierce, David	Rice, Kimberly	Rosenwald, Cindy
Rouillard, Claire	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Shattuck, Gilman	Simmons, Tammy	Smith, Gregory	Sullivan, Victoria
Takesian, Charlene	Twombly, Timothy	Williams, Kermit	Woodbury, David

MERRIMACK

Bartlett, Christy	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Ratzki, Mario	Saunderson, George
Schuett, Dianne	Seaworth, Brian	Wallner, Mary Jane	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Baldasaro, Alfred	Bates, David	Devine, James
DiFranco, Debbie	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Gannon, William	Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Major, Norman	McBeath, Rebecca	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Packard, Sherman	Rice, Frederick
Schroadter, Adam	Spillane, James	Thomas, Douglas	True, Chris
Welch, David			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Knowles, Robert	Mullen, John	Spang, Judith
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	O'Hearne, Andrew

and the committee report was adopted and ordered to third reading.
Reps. Bailey and Biggie voted Yea and intended to vote Nay.

HB 148, limiting the authority of delegates to Article V conventions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda A. Massimilla for State-Federal Relations and Veterans Affairs. This bill, as amended, reasserts the authority of the states in matters, which directly affect their sovereignty, solvency, and general welfare. Furthermore, this bill affirms that delegates/agents to an Article V convention of the states would strictly be identified as agents of the state of NH and would be bound by the law of agency. It assures the implementation of proportional penalties for non-compliance with the tenets of the "permitted scope" of an Article V application/resolution passed by the NH General Court and submitted to the United States Congress. This legislation addresses the fear of the perceived possibility for an unmanageable convention, by articulating practical safeguards, which are consistent with the recommendations of numerous notable and accomplished constitutional scholars. NH delegates would be legally compelled to adhere to specifically identified subject matter when drafting or voting on proposed constitutional amendments at such a convention event. This bill, as amended, addresses the obligations of delegates to an Article V Convention of the states and the penalties for not fulfilling those duties. Vote 12-2.

Amendment (0378h)

Amend RSA 20-C:1, I as inserted by section 1 of the bill by replacing it with the following:

I. "Article V convention" means a convention for the purpose of proposing amendments, called by the states pursuant to Article V of the Constitution for the United States of America.

Amend RSA 20-C:1, V as inserted by section 1 of the bill by replacing it with the following:

V. "Unauthorized amendment" means any amendment outside the scope permitted by the general court of New Hampshire. If New Hampshire is one of the states whose application has prompted the call for the convention, then the permitted scope shall be the purposes specified in its petition. If the New Hampshire general court was not one of the two-thirds of the several states that applied for a convention, then the lawful scope and authority of the delegates shall be established by the resolution, which names the delegates. The general court shall adopt a scope and authority by concurrent resolution that is consonant with the tenor of the purposes contained in the relevant applications from the sister states.

Amend RSA 20-C:2 and 20-C:3 as inserted by section 1 of the bill by replacing them with the following:

20-C:2 Selection of Delegates.

I. Whenever an Article V convention is convened, the New Hampshire general court shall select delegates as follows. Four members of the delegation shall be appointed by the house of representatives. Three members of the delegation shall be appointed by the senate. No person holding any office or position with the government of the United States of America, including members of Congress, the judiciary, or executive branch, shall be named a delegate.

II. A list of 7 alternate delegates shall be selected and given priority as follows. The first alternate delegate shall be appointed by the senate. The second shall be appointed by the house of representatives. This method of alternating appointments shall continue until the full number is reached.

III. In the event that any delegate is unable or unwilling to serve or continue to serve, or if the delegate becomes disqualified as provided herein, the secretary of state shall immediately notify the first-named alternate that he or she has been appointed a delegate. The secretary of state shall also immediately notify the presiding officer of the convention that a replacement delegate has been named.

IV. The expenses of the delegates to the convention shall be paid at the same per diem rate as received by members of the general court.

20-C:3 Authority of Delegates.

I. No delegate from New Hampshire to the Article V convention shall have the authority to allow consideration, consider, or approve an unauthorized amendment. Improper support includes, but is not limited to, making or seconding a motion, voting for, or otherwise taking any formal action in favor of an unauthorized amendment to the Constitution.

II. Any vote taken by a delegate from New Hampshire at the Article V convention in violation of paragraph I shall be null and void. Any delegate making this vote shall be immediately disqualified from serving as a delegate to the Article V convention. Any other delegate from New Hampshire who believes that such disqualifying action has been taken by another delegate shall immediately report the same to the secretary of state. Upon receiving written or other recorded evidence of improper support by a delegate, the secretary of state shall take immediate action to revoke the credentials of the offending delegate and immediately issue new credentials to the first-named alternate.

III. Every delegate from New Hampshire to the Article V convention called for by the Article V application shall be required to take the following oath:

"I do solemnly swear or affirm that to the best of my abilities, I will, as a delegate to the Article V convention, uphold the Constitution and laws of the United States of America and the state of New Hampshire. I will accept and will act according to the limits of the authority as a delegate granted to me by New Hampshire law, and I will not vote to consider or approve any unauthorized amendment to the Constitution for the United States of America. I understand and accept any penalties that may be imposed on me by New Hampshire law for violating this oath."

IV. The secretary of state shall certify the selection of the New Hampshire delegates in writing to the Article V convention and shall provide a copy of the certification to each delegate. No delegate shall have authority to vote or otherwise serve as a delegate at the Article V convention without the certification.

V. The secretary of state shall notify the Article V convention and any delegate involved of the automatic revocation of that delegate's certification should the delegate violate his or her pledge to act only within the limits of the authority granted by the state of New Hampshire.

20-C:4 Enforcement by Attorney General; Right to Private Action.

I. The provisions of this chapter shall be enforced by the department of justice.

II. A New Hampshire citizen may file an action to enforce the requirements of this chapter and shall be entitled to reasonable attorney's fees if successful.

AMENDED ANALYSIS

This bill establishes a procedure for the selection of delegates to an Article V convention. The bill limits delegates' authority to consideration of amendments that are within the legitimate scope of the Article V applications. Delegates who consider unauthorized amendments may be recalled by the secretary of state.

On a division vote, 245 members having voted in the affirmative and 62 in the negative, the committee amendment was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Horrigan spoke against.

Rep. Eastman spoke in favor.

On a division vote, 233 members having voted in the affirmative and 76 in the negative, the committee report was adopted and ordered to third reading.

HCR 3, applying to Congress to call a convention of states under the United States Constitution. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert L. Theberge for State-Federal Relations and Veterans Affairs. This bill mimics the application put forth by three other states; Georgia, Florida and Alaska for a convention of states. The members strongly believe that no part of the U.S. Constitution is less credible than another. An Article V convention is part of the U.S. Constitution and therefore should not be considered dangerous but a process to address the concerns of "we the people." Vote 13-0.

Amendment (0423h)

Amend the resolution by inserting after the first paragraph after the resolving clause the following new paragraph:

That the New Hampshire general court adopts this application with the following understandings (as the term "understanding" is used within the context of "reservations, understandings, and declarations" as provided in the Restatement (Third) of Foreign Relations Law of the United States section 313 cmt. g (1986)):

I. An application to Congress for an Article V convention of states confers no power on Congress other than to perform a ministerial function to "call" a convention of states; and

II. This ministerial duty shall be performed by Congress only when Article V applications for substantially the same purpose are received from two-thirds of the legislatures of the several states; and

III. The power of Congress to "call" a convention of states solely consists of the authority to name a reasonable time and place for the initial meeting of the convention of states; and

IV. Congress possesses no power whatsoever to name delegates to the convention of states, as this power remains exclusively within the authority of the legislatures of the several states; and

V. Congress possesses no power to set the number of delegates to be sent by any state; and

VI. Congress possesses no power whatsoever to determine any rules for said convention of states; and

VII. By definition, a convention of states means that states vote on the basis of one state, one vote; and

VIII. A convention of states convened pursuant to this application is limited to consideration of topics specified herein and no other; and

IX. The New Hampshire general court may provide instructions to its delegates (commissioners); and

X. The New Hampshire general court may recall its delegates at any time for breach of their duties or violation of their instructions; and

XI. Pursuant to the text of Article V, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions; the New Hampshire general court recommends that Congress specify its choice on ratification methodology contemporaneously with the call for the convention of states; and

XII. Congress possesses no power whatsoever with regard to the Article V convention of states beyond the 2 powers acknowledged herein; and

XIII. New Hampshire places express reliance on prior legal and judicial determinations that Congress possesses no power under Article I relative to the Article V process, and that Congress must act only as expressly specified in Article V.

LAID ON THE TABLE

Rep. Baldasaro moved that **HCR 3,** applying to Congress to call a convention of states under the United States Constitution, be laid on the table.

On a division vote, 205 members having voted in the affirmative and 101 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 437-FN, exempting proprietorships from taxation under the business enterprise tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means. This bill exempts from taxation under the business enterprise tax (BET) persons who perform business activity as a proprietorship. It was proposed that this change take effect July 1, 2015 or the first day of the next budget biennium. The prime argument for this bill is that proprietorships who register with the state pay this tax and those who do not register do not have to pay this tax. This is a false argument. The Department of Revenue Administration indicates that an individual engaged in business activity, whether registered with the State of New Hampshire or not, is considered a proprietor subject to business taxes. Legal precedent also indicates that a constitutional challenge could be made as this legislation exempts a classification of taxpayers. NH Supreme Court decisions in 1975 and 1990 are very clear in stating, "distinctions in tax treatment must rest upon reasonable classification of property, not upon classifications of taxpayers owning a common class of property." The budget estimates that the state will receive $227,700,000 in BET revenue for FY 2015. BET paid by proprietorships has averaged 7.5% of total BET revenue, which would be $17,100,000 of the projected $227,700,000. From a practical standpoint in a tight budget year this change if it became law would result in a loss of $17.1 million in revenue in FY 2016 and an undeterminable amount (although in the same range of loss) in FY 2017 and each fiscal year into the future. It was the bipartisan, unanimous decision of the committee that this bill be Inexpedient to Legislate. Vote 17-0.

Committee report adopted.

HB 438-FN-A, exempting proprietorships from taxation under the business profits tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means. This bill exempts from taxation under the business profits tax (BPT) persons who perform business activity as a proprietorship. It was proposed that this change take effect July 1, 2015 or the first day of the next budget biennium. The prime argument for this bill is that proprietorships who register with the state pay this tax and those who do not register do not have to pay this tax. This is a false argument. The Department of Revenue Administration indicates that an individual engaged in business activity, whether registered with the State of New Hampshire or not, is considered a proprietor subject to business taxes. Legal precedent also indicates that a constitutional challenge could be made as this legislation exempts classifications of taxpayers. NH Supreme Court decisions in 1975 and 1990 are very clear in stating, "distinctions in tax treatment must rest upon reasonable classification of property, not upon classifications of taxpayers owning a common class of property." The budget estimates that the state will receive $340,500,000 in BPT revenue for FY 2015. BPT paid by proprietorships has averaged 5% of total BPT revenue, which would be $17,025,000 of the projected $340,500,000. From a practical standpoint in a tight budget year this change if it became law would result in a loss of $17.025 million in revenue in FY 2016 and an undeterminable amount (although in the same range of loss) in FY 2017 and each fiscal year into the future. It was the bipartisan, unanimous decision of the committee that this bill be Inexpedient to Legislate. Vote 17-0.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 254 - NAYS 54

YEAS - 254

BELKNAP

Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Tilton, Franklin

CARROLL

Butler, Edward
Crawford, Karel
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Ley, Douglas
Parkhurst, Henry
Pearson, William
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Chris
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Byron, Frank
Christensen, Chris
Coffey, James
Cohen, Alan
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Ferreira, Elizabeth
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gorman, Mary
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Jack, Martin
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McClarren, Donald
McLean, Mark
O'Brien, Michael
Ober, Lynne
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda

Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Marple, Richard
McGuire, Dan
Moffett, Howard
Myler, Mel
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Bush, Carol
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cook, Allen
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Packard, Sherman
Pantelakos, Laura
Potucek, John
Priestley, Anne
Rice, Frederick
Sherman, Thomas
Simpson, Alexis
True, Chris
Vose, Michael
Ward, Gerald
Ward, Joanne
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Turcotte, Leonard
Wall, Janet
Ward, Kenneth
Wuelper, Kurt

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Rollins, Skip
Smith, Steven

NAYS - 54

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Bouldin, Amanda
Burt, John
Christiansen, Lars
Christie, Rick
Eastman, Eric
Goulette, William
Hogan, Edith
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Sanborn, Laurie
Schleien, Eric
Zaricki, Nick

MERRIMACK

Brewster, Michael	Hoell, J.R.	Martin, John	McGuire, Carol
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Emerick, J. Tracy
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Osborne, Jason	Schroadter, Adam
Spillane, James	Thomas, Douglas	Tucker, Pamela	Wood, David

STRAFFORD

Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas	Knowles, Robert
Whitehouse, Joshua			

SULLIVAN

Bridge, Ernest

and the committee report was adopted.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 11, 2015 at 10:00 a.m.

Motion adopted.

LATE SESSION

Third reading and final passage

HB 208-FN, relative to allowance sales under the New Hampshire regional greenhouse gas initiative program.

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school.

HB 140, relative to appointment of inspectors of election.

HB 149, relative to qualifications for the office of county commissioner.

HB 304, establishing a committee to study public access to political campaign information.

HB 534, relative to the duties of the housing finance authority.

HB 483, relative to the commission on primary care workforce issues.

HB 225, requiring the defendant to personally appear in the courtroom during a victim impact statement.

HB 415, limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

HB 193, relative to utility assessments for the use of village district roads.

HB 227, relative to eminent domain on public lands.

HB 233, relative to local approval of mining activity.

HB 268, establishing a committee to study the adoption of low-impact housing development standards by the department of environmental services.

HB 331, relative to absences among selectmen on election day.

HB 451, relative to local approval of mining permits.

HB 486, authorizing towns and cities to establish special assessment districts.

HB 497, relative to interference with a cemetery burial plot.

HB 607, relative to fees for carrying a concealed firearm.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property.

HB 306, relative to membership of the wetlands council and the water council.

HCR 4, urging Congress to adopt a policy ending the use of a backward American Flag on military uniforms.

HR 11, requesting the National Oceanic and Atmospheric Administration and Congress to relax rules on Atlantic states recreational fishing.

HB 310, relative to reporting the destruction of motor vehicles.
HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax.
HB 550-FN, relative to administration of the tobacco tax.
HB 142, relative to student social media policies by education institutions.
HB 206, relative to non-academic surveys or questionnaires given to students.
HB 463, relative to state agency communications.
HB 136, prohibiting tanning facilities from tanning persons under 18 years of age.
HB 476-FN, amending the definition of "qualifying medical condition" in the therapeutic cannabis law.
HB 151, establishing a committee to study end-of-life decisions.
HB 203, relative to the unauthorized practice of law.
HB 290, relative to the acceptance of risk in outdoor recreational activities.
HB 315, relative to termination of tenancy.
HB 192, relative to the valuation of utility property.
HB 526, relative to transfers of appropriations in Carroll county.
HB 689, relative to adoption of a default budget.
HB 416-L, relative to compensation for members of the Coos county convention.
HB 382, establishing a committee to study facilitating private investment in energy efficiency and renewable energy.
HB 196, requiring the removal of identifying features from vehicles formerly used as ambulances.
HB 467-FN, relative to the 14-month registration of off highway recreational vehicles.
HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire.
HB 621-FN, establishing fines for violations of the "wide berth" laws.
HCR 2, applying to Congress to hold a convention for amendments.
HB 148, limiting the authority of delegates to Article V conventions.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 6:10 p.m.

RECESS

(Rep. Peter Schmidt in the Chair)

RESOLUTION

Rep. Hess offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 5, 11, 13, 14, 16, 20, 21, 33, 35, 38, 39, 41, 43, 44, 46, 54, 56, 60, 63, 65, 69, 70, 71, 73, 74, 78, 80, 88, 90, 91, 93, 94, 96, 97, 98, 99, 101, 106, 116, 120, 141, 142, 143, 149, 166, 173, 182, 208, 218, 222 and 231 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 5, relative to transfers into the revenue stabilization reserve account. (Finance)
SB 11, recodifying the Uniform Interstate Family Support Act. (Children and Family Law)
SB 13, relative to the disposition of dedicated funds. (Finance)
SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. (Judiciary)
SB 16, relative to the requirement for observers of water skiers. (Resources, Recreation and Development)
SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries. (Municipal and County Government)
SB 21, relative to the board of mental health practice. (Executive Departments and Administration)
SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention. (Executive Departments and Administration)

SB 35, relative to the definition of wine-fortified. (Commerce and Consumer Affairs)
SB 38, establishing a commission to develop a land conservation plan. (Resources, Recreation and Development)
SB 39, relative to recounts on questions. (Election Law)
SB 41, establishing a commission to study government immunity from suit and accountability by its citizens. (Judiciary)
SB 43, relative to the care and custody of female prisoners. (Executive Departments and Administration)
SB 44, relative to nonpublic sessions of public bodies under the right-to-know law. (Judiciary)
SB 46, relative to public safety radio interoperability. (Science, Technology and Energy)
SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers. (Municipal and County Government)
SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues. (Health, Human Services and Elderly Affairs)
SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. (Science, Technology and Energy)
SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority. (Transportation)
SB 65, adding a judicial branch employee member to the deferred compensation commission. (Executive Departments and Administration)
SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students. (Education)
SB 70, relative to the processing of lobster tails. (Fish and Game and Marine Resources)
SB 71, relative to the administration of glucagon injections for children in schools. (Education)
SB, 73, relative to documentation of age to purchase alcoholic beverages and tobacco products. (Commerce and Consumer Affairs)
SB 74, establishing a committee to study reducing the cost of county government. (Municipal and County Government)
SB 78, relative to original and youth operators' licenses. (Transportation)
SB 80, relative to the state trails plan and establishing a committee on rail trails. (Resources, Recreation and Development)
SB 88, establishing a committee to study public-private partnerships for intermodal transportation. (Public Works and Highways)
SB 90, relative to the judicial branch budget. (Finance)
SB 91, relative to appointment of counsel for indigent defendants. (Judiciary)
SB 93-FN-A, relative to the definition of beverage. (Commerce and Consumer Affairs)
SB 94, relative to documents filed electronically with a court under oath. (Judiciary)
SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards. (Executive Departments and Administration)
SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements. (Municipal and County Government)
SB 98, relative to third party review required by the planning board. (Municipal and County Government)
SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets. (Commerce and Consumer Affairs)
SB 101, prohibiting the state from requiring implementation of common core standards. (Education)
SB 106-FN, restricting the sale or possession of synthetic drugs. (Criminal Justice and Public Safety)
SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver. (Criminal Justice and Public Safety)
SB 120-FN, relative to applicants for secondary game operator licenses. (Ways and Means)
SB 141, relative to powers of the zoning board of adjustment. (Municipal and County Government)
SB 142, proclaiming September 25 as Ataxia Awareness Day. (Executive Departments and Administration)
SB 143, relative to defining phased development. (Municipal and County Government)
SB 149, relative to nonpublic sessions under the right-to-know law. (Judiciary)
SB 166, relative to facilitated individualized education program meetings. (Education)
SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles. (Resources, Recreation and Development)

SB 182, relative to the sale of freshwater fishing bait. (Fish and Game and Marine Resources)
SB 208, establishing a committee to study limiting the sulfur content of liquid fuels. (Science, Technology and Energy)
SB 218-FN, making spoofing an unfair and deceptive act under the consumer protection law. (Commerce and Consumer Affairs)
SB 222-FN, relative to harassment of hunting, fishing, or trapping. (Fish and Game and Marine Resources)
SB 231, relative to the month of inspection for municipal fleets. (Transportation)

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 9

Wednesday, March 11, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by former House Chaplain, Reverend Roger Boucher.
Eternal God, we find ourselves nearly in the spring of the year; a time of anticipation, of melting snows and new growth. In the midst of our assembly and legislative purpose, we ask for Your grace and Your guidance and Your love. Bless this membership in this early season so that we might see every change for the good and appreciate it to the full. Choices are not always easy and mostly always stressful. We find it no compromise then to ask for Your strength in putting our faith and reason to the task of the common good. Help us this day to keep our mission on good ground; to engage each other with goodwill and compassion and the hope that what we do helps all the people of our state to flourish with great human dignity. We especially remember those who need physical healing, those who need their emotional life restored and those who need their families to be wholesome. We remember our friends and family members in uniform who are in harm's way. We ask that they return to us safe and sound. With sympathy, we remember especially the family members of those who were lost near Eglin Air Force Base. We do not ask too much, oh Lord, in a chamber whose history of debate is rational, honest and accountable. Help us, then, this day and tomorrow to see beyond the details and not lose sight of the whole. It takes effort to see beyond what is in front of us and to free ourselves from the tyranny of what directly presses upon us. Help us with that effort. Help us maintain what is essential in listening and legislating and in ensuring a culture that is prosperous and productive, and sharing in what You have planted and we have strengthened. We pray this in Your Holy name. Amen.

Representative Duane Brown, member from Wentworth, led the Pledge of Allegiance.

Representative Mary Griffin, member from Windham, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Bush, Flanagan, Flanders, Gladys Johnsen, Mann, Moody, Osborne, Parsons and Priestley, the day, illness.
Reps. Coffey, Luneau, Oligny, Peckham, Joe Sweeney, Shawn Sweeney and Twombly, the day, important business.
Reps. Rebecca Brown, DeLemus, Jeudy, Ulery and White, the day, illness in the family.

INTRODUCTION OF GUESTS

Maria Pia Hachem, and Meghan Percy, students at Coe-Brown Northwood Academy, Pages for the day.

Tizzy Brown, Daughter of Rep. Chris Brown. Maynard Goldman, guest of Rep. Andrew Schmidt. Alex and Ellen Kedzierski, guests of Rep. Balcom. Honorable Jan Schmidt, former member from Nashua and Victoria Parmele, guests of Rep. Horrigan. Honorable Robert J. Giuda, former member from Warren, guest of Rep. Ingbretson.

CONSENT CALENDAR

Rep. Hinch moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
HB 263, prohibiting residency restrictions on sex offenders, removed by Rep. Webb.
HB 492-FN-L, relative to military and historic reenactments and commemorations, removed by Rep. Hoell.
HB 568-FN, requiring a supervisory law enforcement officer to arrest a law enforcement officer when the supervisor knows that the law enforcement officer has committed a criminal offense, removed by Rep. Hoell.
HB 598, relative to the definition of deadly force, removed by Rep. Abramson.
HB 317, relative to contracts between schools and school districts, removed by Rep. Ladd.
HB 323, relative to the administration of the statewide assessment program, removed by Rep. Ladd.
HB 244-L, relative to the permissible level of methyl tertiary butyl ether in drinking water, removed by Rep. McConnell.

HB 139-FN, relative to an emergency exception under the New Hampshire retirement system for certain part-time employment, removed by Rep. Ratzki.
HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home, removed by Rep. Theberge.
HR 10, urging the department of justice to reexamine the conviction of Chad Evans, removed by Rep. Abramson.
HB 370-L, enabling counties and municipalities to establish minimum wage rates, removed by Rep. Robertson.
HB 402-FN, establishing the Franklin Partin right-to-work act, removed by Rep. William O'Brien.
Consent Calendar adopted.
Rep. Hansberry declared a conflict of interest on **HB 109-FN-L**, and did not participate in the vote on the Consent Calendar.

HB 265, relative to moneys allocated for child support. **INEXPEDIENT TO LEGISLATE.**
Rep. Carolyn M. Gargasz for Children and Family Law. The sponsor did not speak to the content of the bill. Therefore, the committee heard no explanation of why this bill was needed and voted Inexpedient to Legislate on the bill. Vote 18-1.

HB 293, relative to the renewal or modification of an alimony order. **INEXPEDIENT TO LEGISLATE.**

Rep. Kimberly A. Rice for Children and Family Law. The committee decided to vote Inexpedient to Legislate on HB 293 and incorporate the content into HB 249, which was retained in committee. Vote 19-0.

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank Edelblut for Children and Family Law. This bill, as amended, instructs the court to advise minors and parents that they may consult with counsel in making a decision to waive counsel under predetermined conditions. It also codifies the current practice to prepare and update discharge plans for minors entering the youth development center. It also makes a technical correction to RSA 615:5 dealing with annulment of a criminal record. Finally, it requires the department of health and human services (DHHS) to inquire if minors entering the juvenile court system have medical insurance and to provide information to the minor and family on where such insurance may be obtained. Vote 18-0.

Amendment (0693h)

Amend the bill by replacing all after the enacting clause with the following:

1 Delinquent Children; Waiver of Counsel. Amend RSA 169-B:12, II(d) and (e) to read as follows:

(d) The petition does not allege a violation of RSA 631:1, RSA 631:2, RSA 635:1, or any violation of RSA 630, RSA 632-A, RSA 633, or RSA 636; [~~and~~]

(e) The prosecution has informed the court that it does not intend to seek certification pursuant to RSA 169-B:24, RSA 169-B:25, or any other provision of law permitting adult prosecution of the minor*; and*

(f) The court has instructed both the minor and the parent, guardian, or custodian that they may consult with counsel about the possible consequences of the proposed waiver of the right to counsel.

2 New Paragraph; Youth Development Center; Discharge Planning. Amend RSA 621:19 by inserting after paragraph II the following new paragraph:

III. To facilitate the implementation of this section, discharge plans from the center shall be developed as early in the commitment as practicable, and in the case of children to which paragraph I-a applies, shall be designed to prepare those children for release no later than 6 months from the date of their commitments. Discharge plans shall be updated throughout the commitment as needed.

3 Annulment of Criminal Record Based on Conduct Occurring Between May 14, 2014 and July 1, 2015. Notwithstanding any provision of RSA 651:5 to the contrary, any person convicted of a criminal offense which occurred between May 14, 2014 and July 1, 2015, and while the person was 17 years of age shall be entitled to an annulment of such conviction upon application

to the court. This section shall not apply to any offenses which may continue to be prosecuted as an adult criminal offense after July 1, 2015 against persons who have not yet reached 18 years of age. Annulment requests brought under this section shall not be subject to any filing fee, and may only be brought following the expiration of any sentence imposed by the court. The only permitted basis for denial of an annulment request brought under this section is a written finding by the court, based on clear and convincing evidence, that the subject offense would have qualified for transfer to the superior court pursuant to RSA 169-B:24 and that the prosecution would have pursued such transfer.

4 New Section; Delinquent Children; Information Regarding Health Insurance Provided. Amend RSA 169-B by inserting after section 13 the following new section:

169-B:13-a Health Insurance; Information Provided. The department of health and human services shall inquire whether the minor and his or her family are enrolled in public or private medical insurance and, if not, shall provide the minor and his or her family with information on where such insurance coverage may be obtained.

5 Effective Date.

I. Section 1 of this act shall take effect on July 1, 2015 at 12:01 a.m.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill:

I. Requires the court to instruct minors and their parents of the consequences of waiving the right to counsel before accepting a waiver of the right to counsel.

II. Requires the department of health and human services to develop discharge plans for minors at the youth services center.

III. Provides for annulment of a criminal conviction if the criminal offense was based on conduct that occurred between May 14, 2014 and July 1, 2015, while the person was 17 years of age.

IV. Directs the department of health and human services to provide information relative to health insurance coverage to minors involved in the juvenile court system.

HB 307, relative to the membership and duties of the legislative youth advisory council. **INEXPEDIENT TO LEGISLATE.**

Rep. Debra L. DeSimone for Children and Family Law. The Legislative Youth Advisory Council and the children and family law committee agree that this legislation does not work being that it is a complete rewrite of the statute and it assigns duties to the Speaker of the House and the Senate President, which impinge on their already full agendas. Vote 19-0.

HB 122, relative to advertising of liquor or beverages. **OUGHT TO PASS.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs. This bill makes minor modifications to RSA 179:31, addressing advertising on alcoholic beverages. The bill came to fruition due to restrictions placed on the liquor commission in approving labeling for a particular brand of beer. Current law prohibits any depiction of minors for use of advertising, and rightfully so, to not encourage underage drinking. However, the law is overly restrictive and does not allow leeway if the advertising did use a minor, perhaps a small child, but in no way promoted underage drinking. This bill allows for common sense determinations to be considered by the liquor commission in approving advertising instead of overly strict laws. Vote 20-0.

HB 157, relative to enforcement of condominium liens for assessments. **INEXPEDIENT TO LEGISLATE.**

Rep. George Hurt for Commerce and Consumer Affairs. This bill would permit a condominium unit owners' association to enforce an outstanding lien for assessments by bringing an action to foreclose on the property. The committee felt this change is unnecessary for two reasons. One: current law is adequate in terms of addressing liens and assessments and, two: this bill threatens first lien status covered by current statute. Vote 20-0.

HB 160, relative to qualifications of condominium association board members. **INEXPEDIENT TO LEGISLATE.**

Rep. George Hurt for Commerce and Consumer Affairs. This bill amends the condominium act to permit only condominium unit owners to serve on a condominium association's board of directors.

Although the benefits of having unit owners serve on the board are clear, the committee, after meaningful discussions with the bill's sponsor, determined that the current laws are adequate in meeting the needs of condominium association members. Vote 20-0.

HB 161, relative to the termination of a management contract by a condominium association. **INEXPEDIENT TO LEGISLATE.**
Rep. George Hurt for Commerce and Consumer Affairs. This bill would allow a condominium unit owners association to cancel a contract with a managing agent irrespective of the terms of the management agreement. The subcommittee and full committee believe that this constitutes an unnecessary intrusion into a private contract and that micromanaging of condominium associations is not in the best interest of its board or members. Vote 20-0.

HB 171, relative to rebating. **OUGHT TO PASS.**
Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill seeks to treat insurance producers (agents) and carriers equally when it comes to allowing them to offer contests, sweepstakes, raffles, or drawings, conducted in connection with the marketing or promotion of insurance policies. Currently there is a $1,000 per year limit placed on producers, and this bill would remove that limit. Producers should be able to run their businesses as they see fit. Consumers who believe a producer may have inflated prices in order to cover the cost of rebating can purchase from another producer who does not use rebating. Vote 20-0.

HB 175, establishing a committee to study removing the department of justice from the financial approval process for residential condominium and housing subdivisions. **OUGHT TO PASS WITH AMENDMENT.**
Rep. George Hurt for Commerce and Consumer Affairs. The committee heard testimony from a number of speakers that the financial approval process used by the department of justice for housing subdivisions is protracted and can lead to costly delays in construction projects. The committee agreed the bill had merit and that a study committee could find ways to improve this process. The committee amendment refines the charge of the study committee and reduces the number of senators appointed to it. Vote 20-0.

Amendment (0374h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

Amend the bill by replacing sections 1-3 with the following:

1 Committee Established. There is established a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

AMENDED ANALYSIS

This bill establishes a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

HB 177-FN, relative to sales for on-premises consumption by beverage manufacturers. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill, as amended, allows liquor, wine and beverage manufacturers, as well as rectifiers, the ability to sell samples of their products, at their facilities. Samples will be limited to one per person, per label. After hearing testimony from various in state alcohol manufacturers it became clear to the committee that the current prohibition

on the sale of samples was causing significant harm to these valued businesses. In the case of beverage manufacturers, the harm was even more egregious, in that the state currently taxes them on the volume of free samples they provide to patrons. As such, the unanimous majority agreed that this bill, as amended, was necessary to help improve the business climate for our growing alcohol manufacturing industry and our rectifiers. Vote 20-0.

Amendment (0098h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to sales of alcoholic beverages by manufacturers.

Amend the bill by replacing all after the enacting clause with the following:

1 Liquor Manufacturer License. Amend RSA 178:6, IV to read as follows:

IV. A liquor manufacturer may provide to visitors ***of legal drinking age*** at its facility samples of liquor ***manufactured on the premises*** for tasting. Samples [~~shall not exceed 1/2 ounce, and shall not be provided to any persons under 21 years of age~~] ***may be provided either free or for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this section shall be subject to fees as established in paragraph VI.***

2 Rectifier License. Amend RSA 178:7, IV to read as follows:

IV. A rectifier may provide [~~a reasonable number of~~] samples of liquor ***rectified on the premises*** for tasting to [~~a visitor~~] ***visitors of legal drinking age*** at its licensed rectifier facility. Samples [~~shall not exceed 1/2 ounce, and shall not be provided to any person under 21 years of age~~] ***may be provided either free or for a fee and shall be limited to one 1/2-ounce sample per label per person. Samples sold under this section shall be subject to fees as established in paragraph VI.***

3 Wine Manufacturer License. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery for off-premises consumption any of its wines. Visitors ***of legal drinking age*** at said premises may be provided with [~~reasonable~~] samples of wine ***manufactured on the premises*** for tasting. ***Samples may be provided either free or for a fee and shall be limited to one 2-ounce sample per label per person.*** Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

4 New Paragraph; Beverage Manufacturer; Sales for On-Premises Consumption. Amend RSA 178:12 by inserting after paragraph II the following new paragraph:

II-a. The holder of a beverage manufacturer license may sell beverage samples to visitors of legal drinking age for consumption on the premises where the beverages were manufactured. Sales of samples for consumption on the premises shall be limited to one 4-ounce glass per label per person.

5 Effective Date. This act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill authorizes sales of samples of alcoholic beverages by manufacturers. Samples sold by beverage manufacturers would be for on-premises consumption.

HB 184, relative to travel insurance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Bordenet for Commerce and Consumer Affairs. This legislation, as amended, sets out the roles and responsibilities of insurance producers who are limited to handling the distribution of travel insurance and the supervision of the travel retailers who directly sell travel insurance. It is based on model legislation that has been adopted in more than 30 states and will help provide clear and consistent regulatory oversight as well as guidelines insuring consumer protection. Vote 20-0.

Amendment (0111h)

Amend RSA 402-L:1, V(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Travel insurance shall not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting 12 months or longer, including those persons working overseas or military personnel being deployed.

Amend RSA 402-L:2, I and II as inserted by section 1 of the bill by replacing it with the following:

I. Pursuant to the provisions of RSA 402-J, the commissioner may issue to an individual or business entity that has filed with the commissioner an application for such limited license, a limited lines travel insurance producer license, which authorizes the limited lines travel insurance producer to sell, solicit or negotiate travel insurance through a licensed insurer.

II.(a) A travel retailer may offer and disseminate travel insurance on behalf of and under a limited lines travel insurance producer business entity license only if the following conditions are met:

(1) The limited lines travel insurance producer or travel retailer provides to purchasers of travel insurance:

(A) A description of the material terms or the actual material terms of the insurance coverage;

(B) A description of the process for filing a claim;

(C) A description of the review or cancellation process for the travel insurance policy; and

(D) The identity and contact information of the insurer and the limited lines travel insurance producer.

(2) At the time of licensure, the limited lines travel insurance producer establishes and maintains a register, on a form prescribed by the commissioner, listing each travel retailer that offers travel insurance on the limited lines travel insurance producer's behalf. The register shall be maintained and updated annually by the limited lines travel insurance producer and shall include the name, address, and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations, and the travel retailer's federal tax identification number. The limited lines travel insurance producer shall submit such register to the insurance department upon request. The limited lines travel insurance producer shall also certify, upon request, that the registered travel retailer complies with 18 U.S.C. section 1033.

(3) The designated responsible producer, president, secretary, treasurer, and any other officer or person who directs or controls the limited lines travel insurance producer's insurance operations has complied with the fingerprinting requirements applicable to insurance producers in the resident state of the limited lines travel insurance producer.

(4) The limited lines travel insurance producer has paid all applicable insurance producer licensing fees.

(5) The limited lines travel insurance producer requires each employee and authorized representative of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training, which may be subject to review by the commissioner. The training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices, and required disclosures to prospective customers.

(b) Limited lines travel insurance producers, and those registered under its license, are exempt from all examination requirements.

Amend RSA 402-L:5 as inserted by section 1 of the bill by replacing it with the following:

402-L:5 Enforcement. The limited lines travel insurance producer and any travel retailer offering and disseminating travel insurance on behalf of the limited license travel insurance producer and under the limited lines travel insurance producers license shall be subject to RSA 417:4, VIII(e), RSA 402:J:12, and RSA 402-J:15.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Repeal. RSA 402:16-a, relative to travel agent insurance licensing, is repealed.

HB 195, relative to continuing care communities. **OUGHT TO PASS.**

Rep. Edward A. Butler for Commerce and Consumer Affairs. The insurance department has financial oversight over continuing care retirement communities (CCRC's) under RSA 420-D. CCRCs are those retirement communities that require residents to pay a large deposit as a condition of living in the facility. The department regulates the financial condition of CCRCs to ensure the CCRC can honor the commitments made to residents, and can return deposit funds in accordance with the contracts between the CCRC and its residents. Existing law, RSA 420-D:16, gives the commissioner authority to rehabilitate or liquidate CCRCs if the CCRC is in financial difficulty in order to protect the resident's deposits being held by the CCRC. The insurance commissioner currently has authority to liquidate insurance companies. The standards for how he conducts those insurance company liquidations can be found at RSA 402-C, rehabilitation and liquidation. This amendment to RSA 420-D:16 simply adds a new paragraph VI, that references this insurance company liquidation law and requires the commissioner to follow the same process if he needs to rehabilitate or liquidate a CCRC. Vote 20-0.

HB 223-FN, relative to external review under the managed care law. **OUGHT TO PASS.**

Rep. Joseph A. Hannon for Commerce and Consumer Affairs. This bill clarifies the right to external review for persons enrolled in the marketplace premium assistance program. The committee unanimously supported passage. Vote 20-0.

HB 256, relative to automobile insurance statements of residency. **INEXPEDIENT TO LEGISLATE.**
Rep. John B. Hunt for Commerce and Consumer Affairs. This bill removes a requirement for an automobile insurance company to obtain a statement of residency from an insurance applicant upon policy renewal. Despite the title of the bill, it did not remove this requirement but the bill did attempt to address a problem of one auto insurance company's unique systems issue that require the insured to file a residency form for each car, trailer, etc. they own. Attempting to fix the one insurance company's problem was too problematic, so the committee decided to vote ITL on the bill. Vote 19-1.

HB 264, prohibiting mortgage lenders from considering child support obligations as part of the mortgage application process. **INEXPEDIENT TO LEGISLATE.**
Rep. Valerie Fraser for Commerce and Consumer Affairs. The committee found that this bill would place an undue hardship on families that depend on the child support income in order to qualify for a mortgage. It could impact their choices of homes by not allowing them to shop in a price range that they could afford, but wouldn't be able to purchase because the child support was not allowed to be calculated in the application process. Vote 20-0.

HB 284, relative to motor vehicle franchises. **INEXPEDIENT TO LEGISLATE.**
Rep. Edward A. Butler for Commerce and Consumer Affairs. This bill would undo key provisions of last session's overwhelmingly approved Auto Dealer's Bill of Rights (RSA 357-C). HB 284 comes before us now because the sponsor believes that our state is an outlier and, as such, hurts local dealers and consumers. General Motors claims that the bill approved by this legislature makes it too costly for them to conduct business in NH, though in committee those costs were not explained. Because of their disapproval of the legislature's actions, GM has prevented NH dealers from participating in incentive programs that can help those dealers to thrive. It is important to note that no other manufacturer has responded in this way. All other manufacturers are complying with the new law and working with their NH dealers to help both the brand and the dealer to succeed. The majority believes that we should not succumb to these intimidating tactics by GM; that the law passed in the last session is a good one, supports our NH auto dealers and should continue to be supported. Vote 19-1.

HB 296, relative to a named insured of a life insurance policy. **INEXPEDIENT TO LEGISLATE.**
Rep. John Bordenet for Commerce and Consumer Affairs. This bill requires a life insurance company to notify the named insured on a life insurance policy if the named insured did not take out the policy. We found that this bill is unnecessary since only someone that has an insured interest can apply for a life insurance policy. Vote 20-0.

HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act. **OUGHT TO PASS.**
Rep. Valerie Fraser for Commerce and Consumer Affairs. As the current law is written, (RSA 331-A: 16, II) all licensees and employees associated with a real estate office shall be supervised on site by the principal broker or managing broker. In today's electronic world, many real estate agents work from their home and cars and use computers, email, and cell phones to conduct their business. This bill would solve the restriction of having to be "on site" by removing the "on site" requirement and changing the language to reflect that the employee shall be reasonably supervised. The NH Real Estate Commission submitted their declaratory ruling on the definition of "reasonable supervision" as used in RSA 331-A:16, I-II and RSA 331-A:26 XXVII. HB 308 also amends RSA 331-A:25 by inserting after paragraph VII the following new paragraph: VIII. A facilitator shall present in a timely manner all offers and agreements to and from the parties during a real estate transaction. According to the real estate commission, a facilitator does not represent either the buyer or seller and is to remain neutral. RSA 331-A:25 a-e explain the duties of a facilitator and the new paragraph simply requires that all offers be submitted in a timely manner. Vote 19-1.

HB 318, establishing a committee to study state laws and rules affecting New Hampshire businesses. **INEXPEDIENT TO LEGISLATE.**
Rep. John B. Hunt for Commerce and Consumer Affairs. This bill establishes a committee to study state laws and rules affecting New Hampshire businesses with the goal of reducing, streamlining, or eliminating laws and rulemaking provisions, which are ineffective or obstructive. The sponsor did urge the committee to kill the bill since there have already been several committees with the same charge in last couple of years. Vote 20-0.

HB 353, relative to the governance of condominium unit owners' associations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs. This bill is a product of the committee to study the laws relating to condominium and homeowners' associations. The current law – RSA 356-B or the Condominium Act – mainly deals with the development and sale of condominium properties. Once the developer sells the units and turns the operation over to a board, very little protection exists for residents in the law. This bill provides additional structure for the operation of a condominium association, including requirements for the bylaws, which are the rules that control the association, a framework for how meetings of the association operate, and rules for the membership and actions of the board of directors. Vote 20-0.

Amendment (0489h)

Amend RSA 356-B:37, II as inserted by section 1 of the bill by replacing it with the following:

II. An association shall hold a special meeting of unit owners to address any matter affecting the unit owners or the association if its president, a majority of the board of directors, or unit owners having at least 20 percent, or any lower percentage specified in the bylaws, of the votes in the association request that the secretary call the meeting. If the association does not notify unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly notify all the unit owners of an informational meeting, the purpose of which shall be to present the issue to fellow residents and unit owners. Only matters described in the meeting notice required by RSA 356-B:37-a may be considered at a special meeting.

Amend RSA 356-B:39, IV(a) as inserted by section 2 of the bill by replacing it with the following:

IV.(a) The votes appertaining to any unit may be cast pursuant to a proxy or proxies duly executed by or on behalf of the unit owner, or, in cases where the unit owner is more than one person, by or on behalf of all such persons. A person may not cast undirected proxies representing more than 10 percent of the votes in the association. The proxy or proxies shall list the name of the person who is to vote. No such proxy shall be revocable except by actual notice to the person presiding over the meeting, by the unit owner or by any of such persons, that it be revoked. Any proxy shall be void if it is not dated or if it purports to be revocable without the required notice. The proxy of any person shall be void if not signed by a person having authority, at the time of the execution thereof, to execute deeds on behalf of that person. Any proxy shall terminate automatically upon the adjournment of the first meeting held on or after the date of that proxy. The board of directors shall deliver to the unit owners, together with their notice of meeting and agenda, proxy forms bearing a control number, which the board of directors shall correlate to the list of all unit owners then entitled to vote. At the noticed meeting, the board of directors shall recover all proxies and compare them to the control list maintained for that purpose. Any proxies which are on a form other than that provided by the board of directors or which do not correlate with the control list maintained by the board of directors shall be disregarded for purposes of determining whether a quorum was present at the meeting and for purposes of casting any vote at that meeting.

Amend RSA 356-B:40-c, I as inserted by section 2 of the bill by replacing it with the following:

I. The board of directors, at least annually, shall adopt a proposed budget for the unit owners' association for consideration by the unit owners. Not later than 30 days after adoption of a proposed budget, the board of directors shall provide to all the unit owners a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded. Simultaneously, the board shall set a date not less than 10 days or more than 60 days after providing the summary for a meeting of the unit owners to consider ratification of the budget. Unless at that meeting 2/3 of all unit owners or any larger number specified in the declaration reject the budget, the budget is ratified, whether or not a quorum is present. If a proposed budget is rejected, the budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget.

HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license. **OUGHT TO PASS.**

Rep. Bart Fromuth for Commerce and Consumer Affairs. This bill allows liquor manufacturers to be issued an on-premises license to sell and serve their spirits. The committee voted unanimously for this bill because of the win-win it provided for our manufacturers and their patrons. This bill, as introduced, will heighten the experience for consumers and will lead to increased sales for the manufacturers, which mean more revenues for the state. Vote 20-0.

HB 419, relative to use of insurance scores for rating policies. **INEXPEDIENT TO LEGISLATE.**
Rep. John Bordenet for Commerce and Consumer Affairs. This bill requires property and casualty insurers to make certain information available to a consumer if such information reflected negatively on the policy rate. Providing all of this information would be burdensome to insurers and would not change underwriting procedures. Vote 17-3.

HB 428, relative to New Hampshire products sold by the liquor commission. **INEXPEDIENT TO LEGISLATE.**
Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill would modify the law requiring the liquor commission to purchase New Hampshire products and list them for sale. The intent is to clarify the law by adding definitions for "product of NH," "made in NH" and "packaged in NH." The definitions require the liquors and wines affected by this law to contain specified percentages of locally grown products, or to be primarily manufactured or packaged locally. Although well-intentioned, the committee decided that more work should be done by the sponsors to clarify the language to make it less confusing. Vote 20-0.

HB 429, revising the commission to review and consider alcoholic beverage manufacturing processes and retail sales in manufacturing facilities. **OUGHT TO PASS.**
Rep. Pamela Z. Tucker for Commerce and Consumer Affairs. This bill revives a commission to review and consider alcoholic beverage processes and sales. There is mutual consensus the commission has work in progress and needs to continue its work on issues such as bailment and definitions of New Hampshire made alcoholic beverages. This commission is uniquely designed to bring all interested parties together to develop future legislation as needed. Vote 20-0.

HB 478, relative to rulemaking for market conduct record retention and production. **OUGHT TO PASS.**
Rep. Edward A. Butler for Commerce and Consumer Affairs. RSA 400-B Market Conduct Record Retention and Production was enacted in 2005 (Chapter 221, SB 73). This law was enacted to establish standards for maintaining insurance records and documents so that the commissioner can readily ascertain in an examination, if the insurer is in compliance with state insurance laws and rules. These standards also help ensure that records and documents that support the policies issued by the insurer are retained so that any errors discovered in rating, underwriting, claims handling and the like, can be corrected. The addition of rulemaking authority to RSA 400-B will enable the department to clarify with more specificity what documents are expected to be kept, what documents can be destroyed and what documents may be requested in a market conduct examination. Vote 19-1.

HB 479, relative to uninsured or hit-and-run motor vehicle coverage. **OUGHT TO PASS.**
Rep. John Bordenet for Commerce and Consumer Affairs. This bill is a request of the NH insurance department. It amends 264:15, Uninsured or Hit-and-Run Motor Vehicle Coverage to address an issue created when the NH Supreme Court delivered its 2004 opinion in Swain. The opinion states that the liability limits and the uninsured motorist limits only have to be equal in scope of coverage when an insured selects minimum coverage limits when purchasing a policy. But if an insured selects coverage above the minimum limits then the liability limits and the uninsured motorist limits have to be equal in dollar amounts. HB 479 clarifies that equality in scope of coverage and dollar amounts applies whether the insured elects minimum limits or higher limits. Vote 19-0.

HB 480, relative to policies for property and casualty insurance. **OUGHT TO PASS.**
Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill declares that no liability policy issued in New Hampshire shall contain coverage for payment of a fine or penalty for a criminal offense, but may provide coverage for defense costs and restitution to injured parties. This type of policy is usually purchased by corporations concerned about being sued because of the actions of their officers and/or directors. The concept that criminal behavior should not be covered by insurance is already in case law and the New Hampshire Insurance Department requested this bill in order to also have it in statute. Vote 18-1.

HB 481, relative to commercial insurance. **OUGHT TO PASS.**
Rep. Edward A. Butler for Commerce and Consumer Affairs. This bill is intended to make it clear that the cancellation or refusal to renew provisions for commercial insurance under RSA 417-C do not apply to mortgage guaranty insurance or sureties. Mortgage guaranty insurance is usually known as private mortgage insurance (PMI). It is purchased to compensate lenders in the case of mortgage

default. Sureties provide payment to one party if a second party fails to meet some obligation like failing to fulfill the provisions of a contract. As such, these products are treated as personal lines policies to which the commercial policy provisions do not apply. Vote 18-1.

HB 482, relative to the insurance claims adjuster definition. **OUGHT TO PASS.**
Rep. Edward A. Butler for Commerce and Consumer Affairs. This bill clarifies the definition of "home state" for the purpose of licensing independent adjusters who reside in a state that does not issue an independent adjusters license for the line of business sought. It enables the independent adjuster to designate as their "home state" any state in which the independent adjuster qualifies pursuant to RSA 402-B:7. 33 states license adjusters. That leaves some qualified adjusters living and working in states without a license. When these same adjusters seek to come and work in states like New Hampshire during times of emergency or catastrophes, they have to prove they are qualified under our statutes. Without a designated home state, any adjuster whose residential (home) state does not license adjusters would have to seek to qualify in several states - which can take time. By allowing qualified adjusters whose home state does not license them to seek a license in a designated home state, the adjusters have the ability to get licensed quickly in other states, including New Hampshire, should the need arise. Our emergency licensing provisions allow for a licensed adjuster to get a reciprocal license here in New Hampshire within 2 hours. Without a license, the process can take days. Vote 19-0.

HB 498, relative to notification of radon and arsenic testing. **OUGHT TO PASS.**
Rep. John B. Hunt for Commerce and Consumer Affairs. This bill revises the radon notice required prior to the sale of real property and establishes a similar notice requirement regarding arsenic. A similar bill was passed last session, but ran into problems with some of the language in the senate. All the interested parties have agreed upon this new language. Vote 15-2.

HB 528, relative to motor vehicle records provided to insurance companies. **INEXPEDIENT TO LEGISLATE.**
Rep. John Bordenet for Commerce and Consumer Affairs. This bill excludes violations of vehicle registration and emissions requirements from the motor vehicle records available to insurance companies if the applicable fines and assessments have been paid. We found that any driving violation would be reported and have risk implications. Vote 16-0.

HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties. **OUGHT TO PASS.**
Rep. Edward A. Butler for Commerce and Consumer Affairs This bill establishes a study committee to look at the many web-based 'home-site' lodging and short-term rental programs flourishing over the past few years, such as AirBNB, HomeAway, FlipKey, Tripping.com, Roomorama and others. These sites are obviously providing a service that fills a niche. But they are also competing with the more traditional lodging market and on an uneven playing field. They are not, to a very large degree, paying rooms and meals tax. This allows these rentals to undercut the traditional market and that traditional market is at the heart of our tourism economy. This study committee will look at how other municipalities and states around the country are starting to deal with these businesses, to what degree they impact the hospitality industry and will make recommendations for our state. Vote 13-3.

HB 608-FN-A, relative to liquor licenses at games of chance facilities. **INEXPEDIENT TO LEGISLATE.**
Rep. Pamela Z. Tucker for Commerce and Consumer Affairs. This bill would extend a liquor license to gambling facilities without the food requirement. The concept is well intentioned to allow eight locations that have games of chance to serve alcohol without food. New Hampshire is a controlled state and each liquor license is designed to fill a specific need that addresses many. This bill wants to carve out a special exemption for a small group of businesses. There are other licenses that these businesses could use to fulfill their needs. Vote 16-0.

HB 644-FN, relative to regulation of small loans, title loans, and payday loans. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill is a request of the New Hampshire Banking Department for the purpose of reorganizing RSA 399-A, the chapter regarding the regulation of small loans, title loans, and payday loans. With this legislation, the department seeks to have statutes that are user friendly, easy to understand, and offer clear and consistent requirements among its regulated entities. This bill is mostly technical in nature with only one substantive policy issue addressed which is

the requirement for bonding of licensees. HB 644-FN requires licensees to post a surety bond, instead of cash reserves or loan assets, in case the department needs to access funds for consumer restitution or department invoice. The amendment makes technical improvements to the original language. Vote 16-0.

Amendment (0680h)

Amend RSA 399-A:1, XX as inserted by section 1 of the bill by replacing it with the following:

XX. "Small loan" means a title loan, payday loan, open-end loan, or closed-end loan that:

(a) Is $10,000 or less; and

(b) Has an annual percentage rate of 10 percent or more except for the lawful fees, if any, actually and necessarily paid out by the lender to any public officer, for filing or recording in any public office any instrument securing such loan and except for the reasonable costs, charges, and expenses, including court costs actually incurred in connection with a repossession of the security or an actual sale of the security.

Amend the section heading of RSA 399-A:15 as inserted by section 1 of the bill by replacing it with the following:

399-A:15 Provisions Applicable to All Persons Under This Chapter.

Amend RSA 399-A:15, VI as inserted by section 1 of the bill by replacing it with the following:

VI. No licensee shall take any confession of judgment or any power of attorney running to himself, herself, or any third person to confess judgment or to appear for the borrower in a judicial proceeding.

Amend RSA 399-A:16 as inserted by section 1 of the bill by replacing it with the following:

399-A:16 Small Loans Other Than Payday Loans or Title Loans. The following provisions are applicable only to small loans other than payday loans or title loans:

I. The annual percentage rate for small loans shall not exceed 36 percent. Notwithstanding the federal definition of annual percentage rate, for purposes of calculating annual percentage rate, the finance charge shall exclude one application fee per borrower per year and one participation or membership fee per borrower per year.

II. A lender may lend in money, goods, or things of value upon such security not prohibited by RSA 399-A:15, IX as may be agreed upon, and in connection with any such loan, may contract for, exact, or receive, directly or indirectly, charges, whether for interest, compensation, brokerage, endorsement fees, consideration, expense, or otherwise, on the entire principal of the loan.

III. No small loan lender shall permit any person to be obligated to him or her on one or more contracts of loan the total principal balance of which is more than $10,000.

IV. For the purpose of applying paragraphs II and III of this section only, small loan lender shall mean any single small loan lender, except that in the event any person or affiliated group of persons holds more than one small loan lender license, such person or affiliated group of persons shall be considered a single small loan lender.

V. No small loan lender shall induce any potential borrower who is not a loan customer of the lender to enter into a closed-end loan agreement, by delivering in the first instance a negotiable check for such loan to such potential borrower, without including the following information clearly printed on the endorsement side of the check:

(a) A statement which reads, "By endorsing this check, you become legally liable for repaying all moneys, including interest, as specified in the following loan agreement/disclosure statement";

(b) The amount financed;

(c) The annual percentage rate;

(d) The number of installments; and

(e) The amount of each installment payment.

VI. If a borrower desires to renew an existing small loan for obtaining additional cash a new contract shall be drawn up in its entirety and such prior loan shall be paid in full from such proceeds of the new loan. All legal papers in connection with such prior loan shall be stamped "PAID IN FULL" and returned to such borrower.

HB 666-FN, relative to licensing of money transmitters. **OUGHT TO PASS WITH AMENDMENT.** Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill is a request of the New Hampshire Banking Department for the purpose of reorganizing RSA 399-G, the chapter regarding the licensing of money transmitters. With this legislation, the department seeks to have statutes that are user friendly, easy to understand, and offer clear and consistent requirements among its regulated entities. This bill is mostly technical in nature and includes a definition for virtual currencies. The amendment makes technical improvements to the original language. Vote 15-1.

Amendment (0681h)

Amend RSA 399-G:1 as inserted by section 1 of the bill by inserting after paragraph VI the following new paragraphs:

VII. "Convertible virtual currency" means a digital representation of value that:

(a) can be a medium of exchange, a unit of account, and/or a store of value;

(b) has an equivalent value in real currency or acts a substitute for real currency;

(c) may be centralized or decentralized; and

(d) can be exchanged for currency or other convertible virtual currency.

VIII. "Currency" means the coin and paper money of the United States or of any other country that is designated as legal tender and that circulates and is customarily used and accepted as a medium of exchange in the country of issuance.

IX. "Department" means the banking department.

X. "Direct owner" means any person, including individuals, that owns, beneficially owns, has the right to vote, or has the power to sell or direct the sale of 10 percent or more of the applicant or licensee.

XI. "Financial services" or "financial services-related" means securities, commodities, banking, insurance, consumer lending, money transmission, debt adjustment, or real estate, including, but not limited to, acting as or being associated with a bank or savings association, credit union, mortgage lender, mortgage broker, mortgage servicer, real estate salesperson or agent, closing agent, title company, or escrow agent.

XII. "Indirect owner" means, with respect to direct owners and other indirect owners in a multilayered organization:

(a) In the case of an owner that is a corporation, each of its shareholders that beneficially owns, has the right to vote, or has the power to sell or direct the sale of, 25 percent or more of that corporation;

(b) In the case of an owner that is a partnership, all general partners and those limited and special partners that have the right to receive upon dissolution, or have contributed, 25 percent or more of the partnership's capital;

(c) In the case of an owner that is a trust, the trust, each trustee, and each beneficiary of 25 percent or more of the trust;

(d) In the case of an owner that is a limited liability company ("LLC"):

(1) Those members that have the right to receive upon dissolution, or have contributed, 25 percent or more of the LLC's capital; and

(2) If managed by elected managers, all elected managers; and

(e) In the case of an indirect owner, the parent owners of 25 percent or more of their subsidiary.

XIII. "Individual" means a natural person.

XIV. "Licensee" means a person duly licensed by the commissioner under this chapter.

XV. "Monetary value" means a medium of exchange, whether or not redeemable in currency, and includes convertible virtual currency.

XVI. "Money transmission" means:

(a) Engaging in the business of selling or issuing payment instruments or stored value; or

(b) Receiving currency or monetary value for transmission to another location.

XVII. "Money transmitter" means a person engaged in the business of money transmission.

XVIII. "Net worth" means assets minus liabilities calculated in accordance with generally accepted accounting principles.

XIX. "Payment instrument" means any electronic or written check, draft, money order, traveler's check, or other electronic or written instrument or order for the transmission or payment of currency or monetary value, sold or issued to one or more persons, whether or not negotiable. The term does not include a credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services.

XX. "Person" means an individual, corporation, business trust, estate, trust, partnership, association, 2 or more persons having a joint or common interest, or any other legal or commercial entity however organized.

XXI. "Principal" of the applicant or licensee means an owner with 10 percent or more ownership interest in the applicant or licensee, a corporate officer, director, member, general and limited liability partner, limited partner with 10 percent or more ownership interest, trustee, beneficiary of 10 percent or more of the trust that owns the applicant or licensee, indirect owner, senior manager, and any person occupying similar status or performing similar functions.

XXII. "Principal office" means the main office location of a person required to be licensed under this chapter.

XXIII. "Publicly traded" means a company whose securities are traded on a securities exchange system approved and supervised by the Securities and Exchange Commission, including but not limited to the NYSE, AMEX, BSE, and NASDAQ. The term also includes a public reporting company that is subject to sections 12 or 15(d) of the Securities Exchange Act of 1934.

XXIV. "Registrant" means a person registered as an authorized delegate by the commissioner under this chapter.

XXV. "Senior manager" means any officer of record, assistant vice president or higher, office or branch manager, director of operations, or other position the responsibilities of which provide such employee with the discretion or ability to set policy or manage or direct affairs of the licensee as a whole, or of any division or department or unit of the licensee.

XXVI. "Stored value" means monetary value that is evidenced by an electronic record.

Amend RSA 399-G:2, III as inserted by section 1 of the bill by replacing it with the following:

III. Any license fee required by this chapter shall be paid before a license becomes effective. Authorized delegate registrations shall be effective upon the commissioner's receipt of written notice conditioned upon payment of the registration fee within 30 calendar days, as required by RSA 399-G:4.

Amend RSA 399-G:4, I(a)(9) as inserted by section 1 of the bill by replacing it with the following:

(9) A consent to service of process as described in subparagraph V;

Amend RSA 399-G:4, III-VII as inserted by section 1 of the bill by replacing it with the following:

III.(a) Unless the applicant is a publicly traded corporation, the department shall complete a background investigation and criminal history records check on the applicant's principals. If the applicant is a subsidiary, the department shall complete a background investigation and criminal history records check on individuals who are indirect owners.

(b) The persons described in subparagraph III(a) shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

(c) The department shall submit the criminal history records release form to the New Hampshire division of state police, which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

(d) The department may require the applicant or licensee to pay the actual costs of each background investigation and criminal history records check.

(e) The department may conduct a pre-licensing examination of the applicant.

(f) The department may rely on criminal records checks reported through a national licensing facility in lieu of subparagraphs (b) and (c).

IV.(a) Each money transmitter applicant shall post a continuous surety bond in the amount of $100,000. The surety bond shall be payable to the state of New Hampshire and the bank commissioner of the state of New Hampshire for the benefit of any person who is damaged by any violation of this chapter and shall be conditioned upon the licensee's compliance with each provision of this chapter.

(b) Surety bonds shall include a provision requiring the surety to give written notice to the commissioner 30 days in advance of the cancellation or termination of the bond.

(c) Every bond shall provide that no recovery may be made against the bond unless the state makes a claim for recovery or the person brings suit naming the principal within 6 years after the act upon which the recovery or suit is based. The obligations of the surety shall survive the bankruptcy, insolvency, liquidation, or reorganization of the licensee, including, without limitation, any bankruptcy, insolvency, liquidation, or reorganization commenced by or against the licensee under any applicable state or federal law, including the United States Bankruptcy Code.

(d) When an action is commenced on a licensee's bond, the licensee shall immediately file a new bond. Immediately upon recovery upon any action on the bond the licensee shall file a new bond.

V. Every applicant for licensing under this chapter shall file with the commissioner, in such form as the commissioner prescribes by rule, irrevocable consent appointing the commissioner to receive service of any lawful process in any noncriminal suit, action, or proceeding against the applicant or the applicant's successor, executor, or administrator which arises under this chapter or any rule or order under this chapter after the consent has been filed, with the same force and validity as if served personally on the person filing the consent. A person who has filed such a consent in connection with a previous application need not file another. When any person, including a nonresident of this state, engages in conduct prohibited or made actionable by this chapter or by any rule or order under this chapter, and such person has not filed a consent to service of process under this section and personal jurisdiction over such person cannot otherwise be obtained in this state, that conduct shall be considered equivalent to such person's appointment of the commissioner to receive service of any lawful process. Service may be made by leaving a copy of the process in the office of the commissioner along with $5, but is not effective unless:

(a) The plaintiff, who may be the attorney general in a suit, action, or proceeding instituted by him or her, forthwith sends a notice of the service and a copy of the process by registered mail to the defendant or respondent at such person's last address on file with the commissioner; and

(b) The plaintiff's affidavit of compliance with this paragraph is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

VI. Applicants shall provide written plans for compliance with federal laws, including but not limited to the Bank Secrecy Act of 1970, as amended, and regulations in 31 C.F.R. part 1010. Such plans shall include required recordkeeping and reporting procedures.

VII. The commissioner may license or register individuals or firms by means of or through the facilities of a national organization which facilitates registration and licensing on a nationwide basis.

Amend RSA 399-G:8, III as inserted by section 1 of the bill by replacing it with the following:

III. Failure to comply with the provisions of this section and rules adopted under this section shall be cause for denial of future license applications and the imposition of penalties under RSA 399-G:23.

Amend RSA 399-G:9, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) Prior to the commissioner's approval of such change of a principal, the licensee shall disclose any injunction or administrative order that has been issued against the principal and whether the principal has been convicted of a misdemeanor involving financial services or a financial services-related business, or any fraud, false statements or omissions, theft or any wrongful taking of property, bribery, perjury, forgery, counterfeiting, or extortion, or a conspiracy to commit any of these offenses, or convicted of any felony.

Amend RSA 399-G:10, V as inserted by section 1 of the bill by replacing it with the following:

V. In addition to the annual report and financial statement, the banking department may require such additional regular or special reports as it may deem necessary for the proper supervision of licensees under this chapter.

Amend RSA 399-G:13, I as inserted by section 1 of the bill by replacing it with the following:

I. The department may examine during business hours the business affairs and records of any licensee, any authorized delegate, or any other person, whether licensed or not, as it deems necessary to determine compliance with this chapter and the rules or orders adopted under this chapter. The department shall have the power to subpoena witnesses and administer oaths in any adjudicative proceedings, and to compel, by subpoena duces tecum, the production of all books, records, files, and other documents and materials relevant to its investigation.

HB 198, relative to retention requirements for certain motor vehicle records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Burt for Criminal Justice and Public Safety. The full committee agrees that the courts are allowed by law to look back 10 years for a second DWI charge. Currently the DWI records are retained only 7 years. HB 198 allows the department of safety to retain just those records for the full 10 years. The amendment keeps other motor vehicle records purged at 7 years. Vote 15-0.

Amendment (0607h)

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

AMENDED ANALYSIS

This bill increases the minimum period for retention of certain motor vehicle records from 7 years to 10 years.

HB 207, defining probable cause or reasonable ground for the purpose of arrest without a warrant. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety. This bill states that law enforcement cannot arrest for a domestic violence assault or violation of a protective order unless they have personally witnessed the assault, another officer has witnessed the assault, or there are two or more witnesses to the abuse at the scene. Domestic violence assaults rarely occur in front of law enforcement and other witnesses, with the exception of children. If HB 207 were to pass, a law enforcement officer who responds to a 911 call and finds a woman beaten and bleeding could not arrest her abuser on the spot unless an officer or 2 other individuals witnessed the abuse. If enacted this legislation will, without doubt, cause additional injuries to victims of domestic violence and their children. The implications of passing this bill would be turning back victims' protections in New Hampshire to the 1950s. Vote 15-1.

HB 262, relative to criteria for classification as a tier III sex offender. **INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for Criminal Justice and Public Safety. The majority of the committee feels that RSA 651-B:1 works as intended. The main conversation was about who should be on the tier III sex offender list and this is not the bill to address that issue. Vote 16-0.

HB 270, granting immunity from criminal prosecution to certain persons involved in a drug or alcohol related emergency. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Burt for Criminal Justice and Public Safety. The full committee agrees this bill will save NH lives. NH saw 300 deaths from overdose last year, a dramatic increase from about 175 in 2013. Deaths often occur in these situations because witnesses delay calling 911 for fear of self-incrimination. This bill provides immunity from the charge of possession if the evidence was gained during the emergency response. The amendment enhances the bill to ensure that it accomplishes its intended purpose, requiring a 911 caller to cooperate with emergency responders and remain on site. The states that have passed similar laws have seen the overdose death rate drop. Vote 16-0.

Amendment (0488h)

Amend the title of the bill by replacing it with the following:

AN ACT granting immunity from criminal prosecution to a person who reports a drug related emergency.

Amend the bill by replacing all after the enacting clause with the following:

1 Legislative Intent. It is the intent of the general court to encourage a witness or victim of a drug overdose to seek medical assistance in order to save the life of an overdose victim by establishing a state policy of protecting the witness or victim from prosecution and conviction for certain crimes. It is not the intent of the general court to provide immunity from citation, arrest, or prosecution for violation of the controlled drug act pursuant to RSA 318-B, in cases where medical assistance has not been sought for someone experiencing an overdose.

2 New Section; Immunity from Liability. Amend RSA 318-B by inserting after section 28-a the following new section:

318-B:28-b Immunity From Liability.

I. As used in this section:

(a) "Drug overdose" means an acute condition resulting from or believed to be resulting from the use of a controlled drug which a layperson would reasonably believe requires medical assistance.

(b) "Medical assistance" means professional services provided to a person experiencing a drug overdose by a health care professional licensed, registered, or certified under state law who, acting within his or her lawful scope of practice, may provide diagnosis, treatment, or emergency services for a person experiencing a drug overdose.

(c) "Seeks medical assistance" shall include providing care to someone who is experiencing a drug overdose while awaiting the arrival of medical assistance to aid the overdose victim, provided that person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives, or remains at the facilities of the medical provider until a law enforcement officer arrives.

II. A person who, in good faith and in a timely manner, seeks medical assistance for someone who is experiencing a drug overdose shall not be cited, arrested, or prosecuted for a violation of this chapter if the evidence for the charge of possession of a controlled drug was gained as a result of the seeking of medical assistance.

III. A person who is experiencing a drug overdose and, in good faith, seeks medical assistance for himself or herself or is the subject of a good faith request for medical assistance shall not be cited, arrested, or prosecuted for a violation of this chapter if the evidence for the charge of possession of a controlled drug was gained as a result of the overdose and the need for medical assistance.

IV. A person who seeks medical assistance for a drug overdose pursuant to paragraph II or III:

(a) Shall not be subject to any of the penalties for violation of RSA 173-B for being at the scene of the drug overdose, or for being within close proximity to any person at the scene of the drug overdose; and

(b) Shall not be subject to any sanction for a violation of a condition of pretrial release, probation, furlough, or parole for being at the scene of the drug overdose, or for being within close proximity to any person at the scene of the drug overdose.

V. The act of seeking medical assistance for or by someone who is experiencing a drug overdose shall be considered a mitigating circumstance at sentencing for a violation of any other offense.

VI. The immunity provisions of this section shall apply only to the use and derivative use of evidence gained as a proximate result of the person's seeking medical assistance for a drug overdose, and do not preclude prosecution of the person on the basis of evidence obtained from an independent source.

VII. A person who seeks medical assistance for a drug overdose pursuant to paragraph II or III shall not be subject to the laws governing property subject to forfeiture, except that prima facie contraband shall be subject to forfeiture.

VIII. Except in cases of reckless or intentional misconduct, law enforcement shall be immune from liability for citing or arresting a person who is later determined to qualify for immunity under this section.

3 Applicability. This act shall apply to a person who seeks medical assistance for a drug overdose on or after the effective date of this act.

4 Effective Date. This act shall take effect 60 days after its passage.

HB 287, allowing citizens to record by audio or video a traffic stop by law enforcement officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Burt for Criminal Justice and Public Safety. The majority of the committee agrees this bill will allow a citizen to audio and video tape a traffic stop while the amendment protects the officer's ability to perform his official duties. A federal judge in MA made a ruling that it is ok for the citizen to audio and video tape a traffic stop. HB 287 will codify the federal judge's ruling. Vote 17-0.

Amendment (0114h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Audio and Video Recording of Traffic Stop by Law Enforcement Permitted. Amend RSA 570-A:2, II by inserting after subparagraph (l) the following new subparagraph:

(m)(1) Any person to make an audio or video recording of a traffic stop by a law enforcement officer; provided that the act of recording does not interfere with the law enforcement officer's ability to perform his or her official duties.

(2) Any audio or video recording of a law enforcement officer shall remain the property of its owner. In the event that such property is seized by law enforcement authorities, a copy of the audio or video recording shall be provided to the owner of the property within 30 days of the day the property is seized.

2 Effective Date. This act shall take effect July 1, 2015.

HB 436, relative to the penalty for making a false statement in a criminal complaint. **INEXPEDIENT TO LEGISLATE.**
Rep. Len DiSesa for Criminal Justice and Public Safety. The committee unanimously felt that it is confusing to add the reference to RSA 641:2, false swearing. A person can be prosecuted for false swearing if she/he swears under oath falsely to the matter at hand. The statute being amended by this bill pertains to RSA 592-A:7, complaints, does not require any oath. The committee felt the statute should remain as is. Vote 17-0.

HB 440, establishing private prosecution of criminal proceedings. **INEXPEDIENT TO LEGISLATE.**
Rep. Geoffrey D. Hirsch for Criminal Justice and Public Safety. Citizens have recourse to seek redress in civil court should law enforcement or the state not seek criminal proceedings in an action. If law enforcement or the state does not find sufficient ground to pursue prosecution, allowing private citizens to file criminal complaints could overwhelm the courts with meritless proceedings. Vote 15-2.

HB 442, changing references to "law enforcement officer" to "peace officer" in the Revised Statutes Annotated. **INEXPEDIENT TO LEGISLATE.**
Rep. Arthur E. Barnes for Criminal Justice and Public Safety. This bill would simply change referrals to "law enforcement officer" to "peace officer" in approximately 180 RSAs. The committee felt this was an unnecessary expense; as Shakespeare said, "a rose by any other name still smells as sweet." Vote 14-2.

HB 472, relative to the parole board and parole board procedures. **OUGHT TO PASS.**
Rep. David A. Welch for Criminal Justice and Public Safety. This bill changes the composition of the adult parole board from 7 members to 9 members and deletes the requirement of notice of hearings to be published in a newspaper of general circulation. The hearings notice will be posted on the department of corrections website stating the name and birth date of the person seeking parole and the location of the hearing. Currently the victims are notified by mail or by telephone. The addition of 2 members increases the pool that members are drawn from to populate the board. Vote 16-0.

HB 494, relative to industrial hemp as a controlled substance. **OUGHT TO PASS.**
Rep. Ed Comeau for Criminal Justice and Public Safety. Industrial hemp has been part of the nation's economy from its inception. The finest Bible paper is hemp based and chosen for its durability and it is well established that hemp is component of economic strength as our Declaration of Independence was penned upon its sturdy fibers. It is the opinion of the committee that industrial hemp shall not be designated as a controlled substance; amending RSA 318-B:1-a. Today industrial hemp is a sustainable fiber used in many products that are imported but could be made locally. Items from durable clothing, soaps and health food, to industrial lubricants; biofuels; biocomposites used in modern manufacturing. The committee unanimously concludes that prohibiting a controlled substance designation would foster a vibrant economy and bring needed job growth to the local economies within New Hampshire. Vote 16-0.

HB 557-FN, relative to penalties for driving while intoxicated, third and fourth offenses. **INEXPEDIENT TO LEGISLATE.**
Rep. John A. Burt for Criminal Justice and Public Safety. The full committee agrees that HB 557 is not needed. Current law allows the judge to give or not give a driver's license back to a third or fourth convicted DWI charge. Instead of requiring a license be suspended indefinitely with a 10-year minimum instead of what is currently suspended indefinitely with a 5-year minimum. Vote 16-0.

HB 590-FN, relative to the accountability of public officials. **INEXPEDIENT TO LEGISLATE.**
Rep. Arthur E. Barnes for Criminal Justice and Public Safety. This bill is intended to strengthen penalties for public officials who fail to respond to an affidavit, commit an unauthorized act, which purports to be an official act, or refrains from performing an official duty. As written, the bill would have the public official removed from office if he/she is found guilty with no right to appeal. The committee believed denying anyone the right to due process would constitute a gross violation of his/her constitutional rights. Vote 17-0.

HB 612-FN, establishing a penalty for falsifying information to obtain a protective order. **INEXPEDIENT TO LEGISLATE.**
Rep. Robert R. Cushing for Criminal Justice and Public Safety. There is already language contained within RSA 173-B:3, Protection of Persons from Domestic Violence, which states: "Any person filing a petition containing false allegations of abuse shall be subject to criminal penalties." Further,

it is already a misdemeanor, under current statute, to falsely report to law enforcement. Making it a class B felony to falsely report in order to obtain a protective order would be inconsistent with the rest of the statute and would more harshly penalize victims of domestic violence than anyone else making a false statement to law enforcement. The policy implications of passing this bill would be the codified presumption that victims of domestic violence make false allegations at a higher rate than other civil litigants, such as big corporations or tort litigants in personal injury claims, with no basis in empirical evidence that this is the case. There is however, extensive literature supporting that batterers often use the legal system as a further method of power and control over their victims. To that end, abusers are much more likely to generate false claims in family court. The American Bar Association's Commission on Domestic and Sexual Violence has collected data that debunks the notion that victims obtain protective orders in order to gain an advantage in divorce or parenting proceedings. The ABA's commission cites there is no effect on custody outcomes in cases where there are allegations of abuse against fathers. In fact, abusers are more likely to seek sole custody of their children over the non-abusive parent, and are successful in doing so 70% of the time. Before a final domestic violence protective order can be granted, the court must find abuse as defined in our criminal code, and further find that the defendant poses a credible threat to the victim's safety. The burden of proof in these cases is on the petitioner—not the defendant. These cases are highly scrutinized in court. In 2013, 42% of all domestic violence petitions scheduled for a final hearing resulted in the court granting a final protective order for one year. Less than half of these petitions being granted speak to a careful review of all facts, circumstances, and credibility of both parties. These orders are not handed out easily or indiscriminately. Vote 16-0.

HB 640-FN, relative to the crime of criminal coercion. **INEXPEDIENT TO LEGISLATE.**
Rep. Len DiSesa for Criminal Justice and Public Safety. This bill is both overly complex and would be extremely difficult to enforce. It also violates the due process of public officials and it would have a chilling effect on any person who was contemplating entering the public service sector. Vote 17-0.

HB 322, relative to protection of personally identifiable data by the department of education. **OUGHT TO PASS.**
Rep. Glenn Cordelli for Education. This bill adds additional security provisions to protect our state student data. It requires the department of education to develop a detailed security plan and to publish an annual report on any security breaches. In addition, the department is to publish student and parent's rights with information on where to file complaints. Vote 18-1.

HB 346, relative to criminal history records checks for school employees and volunteers. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James L. Grenier for Education. This bill amends RSA 189:13-a, II-VII regarding criminal background checks of school employees and volunteers. Presently, criminal history records provided to a school district will only identify when a perspective employee has been convicted of a felony. This bill, as amended, will add all criminal convictions, or pending dispositions to the criminal background data provided to the school district. The need for this change was supported by an example where felony charges were pleaded down to a misdemeanor and the school district was unaware that the perspective employee had been convicted of a felony crime against a child. Vote 19-0.

Amendment (0101h)

Amend RSA 189:13-a, III as inserted by section 1 of the bill by replacing it with the following:

III. The school administrative unit, school district, chartered public school, or public academy shall submit the criminal history records release form to the New Hampshire state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. [~~The state police shall examine the list of crimes constituting grounds for non-approval of employment, or non-acceptance of volunteer services in that school administrative unit, school district, chartered public school, or public academy, and~~] ***Upon completion of the criminal history records check, and notwithstanding the charges or pending dispositions in paragraph II, the division of state police*** shall [~~report the presence or absence of any such crime~~] ***release a copy of the criminal history records check*** to the school administrative unit, school district, chartered public school, or public academy. [~~Under no circumstances shall the criminal records be released to the school administrative unit, school district, chartered public school, or public academy.~~] The school administrative unit, school district, chartered public school, or public academy shall maintain the confidentiality of

all criminal history records information received pursuant to this paragraph. [~~If the criminal history records information indicates no criminal record, the school administrative unit, school district, chartered public school, or public academy shall destroy the information received immediately following its review of the information.~~] If the criminal history records information indicates that the applicant has been convicted of a [~~felony or has been charged pending disposition for or convicted of a crime listed in paragraph V,~~] ***crime,*** the school administrative unit, school district, chartered public school, or public academy shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The school administrative unit, school district, chartered public school, or public academy shall [~~destroy any~~] ***only retain*** criminal history record information that indicates a criminal record [~~within 30 days of receiving such information~~] ***if the applicant is extended a final offer of employment. This information shall be confidentially maintained in the applicant's personnel file.***

HB 375, relative to providing information about effective forms of child discipline to parents. **INEXPEDIENT TO LEGISLATE.**
Rep. Terry M. Wolf for Education. The committee unanimously agreed that curriculum development is a local control issue. Vote 19-0.

HB 424, relative to the accessibility of assessment materials. **OUGHT TO PASS.**
Rep. James L. Grenier for Education. This bill will amend RSA 193-C:10 requiring school districts to notify parents within 30 days after the results of the state assessment are released by the department of education. Presently, a parent must request inspection or review of their child's test results without notification of the availability of the test results. Vote 19-0.

HB 474, relative to grounds for denial of a chartered public school application. **INEXPEDIENT TO LEGISLATE.**
Rep. Glenn Cordelli for Education. This bill reinstates the ability for the department of education to deny a public charter school application because of lack of funds. Last term the legislature put into statute that a funding denial could not be made. In 2012-13 charter school applications were denied for this reason, which caused schools to lose funding and support. Other schools had to start applications all over again. This was contrary to our statutes, which say charter schools are to be encouraged. Vote 17-3.

HB 491, relative to immunity for school personnel using reasonable force to protect a minor. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Ralph G. Boehm for Education. This bill allows school personnel to use reasonable force if they reasonably believe it is necessary to end a disturbance, which would constitute a danger. The amendment removes the word to maintain decorum. Vote 17-1.

Amendment (0721h)

Amend RSA 627:6, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) A teacher or person otherwise entrusted with the care or supervision of a minor for special purposes or pupil may use reasonable force against any such minor or pupil when and to the extent that he or she may reasonably believe it necessary to end a disturbance, to maintain safety, or to remove such minor or pupil from the premises when the minor's or pupil's behavior or continued presence on the premises would constitute a danger to that individual, or to other children or adults present. Conduct which is justifiable under this subparagraph constitutes a defense to any offense. The fact that such conduct is justifiable shall constitute a complete defense to any civil action based on such conduct.

HB 507, relative to teacher personally identifiable data. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Glenn Cordelli for Education. This bill, as amended, provides for the protection of teacher identifiable information in the same way we protected student data in the prior session. It also requires school board approval and provision for written consent before allowing any recording in classrooms. Vote 19-0.

Amendment (0492h)

Amend RSA 189:65, VII-a as inserted by section 2 of the bill by replacing it with the following:

VII-a. "Teacher personally-identifiable data" or "teacher data," which shall apply to teachers, paraprofessionals, principals, school employees, contractors, and other administrators, means:

(a) Social security number.
(b) Date of birth.
(c) Personal street address.
(d) Personal email address.
(e) Personal telephone number.
(f) Performance evaluations.
(g) Other information that, alone or in combination, is linked or linkable to a specific teacher, paraprofessional, principal, or administrator that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify any with reasonable certainty.
(h) Information requested by a person who the department reasonably believes or knows the identity of the teacher, paraprofessional, principal, or administrator to whom the education record relates.

Amend RSA 189:67, IV as inserted by section 3 of the bill by replacing it with the following:

IV. Except as provided in RSA 193-E:5, or pursuant to a court order signed by a judge, the department shall not disclose student personally-identifiable data in the SLDS ***or teacher personally-identifiable data in other department data systems*** to any individual, person, organization, entity, government or component thereof, but may disclose such data to the school district in which the [~~student's~~] ***student*** resides ***or the teacher is employed.***

HB 566-FN-L, relative to consolidation of school administrative units. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry M. Wolf for Education. This bill consolidates SAUs to one per county except for Hillsborough county. School districts already have the authority to combine SAUs. This is a local control issue. Vote 21-0.

HB 604, relative to the use of mixed use school buses by special education pupils. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John L. Balcom for Education. This bill, as amended, authorizes the use of school vehicles other than school busses to transport small numbers of students to and from school activities, special education and other school functions. This bill enhances the current law to make it clear for the department of safety that school busses are not required for the transport of special education students, either for public, or private schools. There was concern expressed by the department of safety concerning travel out of state. Current state law is more stringent than federal law in transport across state lines for both private and public schools. Federal law states that if transporting 16 or more students, a commercial school bus license is needed for private school transportation and no requirement for public schools. State law is 12 for both public and private. Vote 20-1.

Amendment (0747h)

Amend RSA 189:6-c, I as inserted by section 1 of the bill by replacing it with the following:

I. Pupils may be transported to or from [~~school or a school-sponsored activity~~] ***school activities*** in a mixed use school bus, as defined by RSA 259:96-a, which bears a valid state inspection sticker and is operated by a driver who holds a valid ***driver's*** license to operate that vehicle.

HB 610, relative to a school board vote on the reassignment of a pupil. **OUGHT TO PASS.**

Rep. John L. Balcom for Education. This bill had the unanimous support of the education committee. This bill allows for the reassignment of a pupil to another school with the approval of the local school boards. It is empowering legislation in favor of local control. Vote 21-0.

HB 200, defining "farm stand." **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca A. Brown for Environment and Agriculture. The bill is aimed at making market access easier for local farmers and other producers of local food products. It allows home-based makers of products like bread, jams, and jellies to sell these at retail stores up to $20,000 gross sales volume without a state license. After they reach that volume they would require a license. This change reflects our current law for selling from a farm stand or farmers market. By helping kick start local food production, our intent is to grow local food businesses and meet consumer demand for local products. Vote 17-1.

Amendment (0606h)

Amend the title of the bill by replacing it with the following:

AN ACT allowing homestead food operations exempt from licensure to sell homestead food products at retail food stores.

Amend the bill by replacing all after the enacting clause with the following:

1 Exempt Homestead Food Operations; Sales Points. Amend RSA 143-A:12, II to read as follows:

II. Homestead food operations selling less than a maximum annual gross sales of $20,000 of food, excluding potentially hazardous food, from the homestead residence, at the owner's own farm stand, ~~[or]~~ at farmers' markets, ***or at retail food stores*** are exempt from licensure under this subdivision.

2 Exempt Homestead Food Operations; Sales Points. Amend RSA 143-A:12, IV to read as follows:

IV. All homestead food products sold in packages from the home kitchen ~~[or]~~, farm stand of a homestead food operation ~~[or]~~, at farmers' markets, ***or at retail food stores*** shall have individual labels on each package containing the following information: name, address, and phone number of the homestead food operation; name of the homestead food product; the ingredients of the homestead product, in descending order of predominance by weight; and allergy information. Products made by homestead food operations exempt from licensure shall also be clearly labeled with the following statement: "This product is exempt from New Hampshire licensing and inspection." Products made by non-exempt homestead food operations shall also be clearly labeled with the following statement: "This product is made in a residential kitchen licensed by the New Hampshire Department of Health and Human Services."

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows homestead food operations exempt from licensure to sell homestead food products at retail food stores.

HB 248, directing the university system of New Hampshire to conduct a study of the effects of prolonged human consumption of and exposure to methyl tertiary butyl ether (MTBE). **INEXPEDIENT TO LEGISLATE.**

Rep. Robert H. Haefner for Environment and Agriculture. This bill seeks to require the University of New Hampshire to research the effects of prolonged consumption and exposure to MTBE. The legislation further seeks to pay for the mandated study with settlement funds which have been set aside for remediation of MTBE. The majority of the committee believes that the legislature should not be mandating what research projects our state university conducts, especially when we are not willing to fund it. The majority also heard testimony that diverting the money that has been set aside for remediation and using it for research was not the best use of those settlement funds. While UNH has said they had no plans to research long-term consumption and exposure to MTBE, should they decide to do so, they would follow their normal practice of seeking grants to fund it. Vote 19-0.

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert H. Haefner for Environment and Agriculture. This bill, as amended, authorizes, but does not require, the state's research universities to conduct a study on industrial hemp. The bill further requires, if the study is undertaken, research into not only the agricultural aspects, but the business, marketing and economic viability of growing hemp in New Hampshire. The federal government is, for the first time, allowing hemp research through the 2012 Farm Bill. Other states have begun research on hemp, most notably Kentucky which sees hemp as a possible replacement for tobacco. The majority of the committee feels NH should take advantage of this opportunity. Vote 18-0.

Amendment (0531h)

Amend RSA 433-C as inserted by section 1 of the bill by replacing it with the following:

CHAPTER 433-C

INDUSTURIAL HEMP RESEARCH

433-C:1 Industrial Hemp Defined. "Industrial hemp" means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

433-C:2 Authorization. An institution of higher education, as defined in 20 U.S.C. section 1001, may grow or cultivate industrial hemp, on site or off site, for purposes of research under an agricultural pilot program or other agricultural or academic research. In addition to studying the plant's growth and cultivation, the research shall also study the economics of industrial hemp, including markets and processing. Industrial hemp grown or cultivated in accordance with this chapter shall not be considered a controlled drug or controlled substance under RSA 318-B.

433-C:3 Regulation. All research shall be undertaken in coordination with the department of agriculture, markets, and food. The department may certify and register sites used to grow or cultivate industrial hemp and may adopt rules to regulate such research to the extent necessary to comport with 7 U.S.C. section 5940. Such rules shall be exempt from RSA 541-A. All research projects shall conclude within 3 years of commencement.

AMENDED ANALYSIS

This bill authorizes any institution of higher education to grow industrial hemp for research purposes.

This bill is a request of the committee to study the growth and sale of industrial hemp in New Hampshire established by 2014, 218.

HB 579-FN, establishing a maple products coordinator in the department of agriculture, markets, and food using federal funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Tara A. Sad for Environment and Agriculture. This bill would have established a new position in the department of agriculture, markets and food to coordinate the promotion and marketing of the New Hampshire's maple industry. A new federal program, the Acer Access and Development Program (AADP), was included in the 2012 Farm Bill, and would have entirely funded this new position. Even though the Farm Bill is now law, the appropriation for AADP has not yet been approved. Therefore, the committee felt that establishing this position prior to funding would be premature. The committee feels strongly, however, that the maple industry needs this support, and will be drafting a letter to our congressional delegation seeking their assistance in securing the appropriation. Vote 18-0.

HB 624-FN-L, relative to animal care costs in animal cruelty cases. **INEXPEDIENT TO LEGISLATE.**

Rep. John T. O'Connor for Environment and Agriculture. This bill takes away a citizen's right to due process of law, and presumes guilt prior to a hearing. It allows for seizure of an owner's animals and requires them to post an animal care bond or other security prior to any conviction of animal cruelty. Current law already requires proof of financial accountability for those who have been convicted of cruelty and had their animals lawfully seized. During testimony, the ACLU stated 'that the poor in New Hampshire who own pets would be far more likely to forfeit their animals given the inability to post bond. In addition, the ACLU noted a federal court decision (Louisville Kennel Club, Inc. v. Louisville/Jefferson County Metropolitan Gov't) stating, "that mandating permanent forfeiture for failing to timely post a bond, without finding of guilt, has been rejected for violating procedural due process," holding that the portion of the law that would permanently deprive a pet owner of his property, absent a finding of guilt, is unconstitutional. Vote 18-0.

HB 109-FN-L, relative to the testing of backflow devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven P. Beaudoin for Executive Departments and Administration. Existing statute is unclear as to whether testing of residential backflow prevention devices is required. This bill was filed to add statutory clarification to that effect as well as to change the twice annual testing of high hazard devices to once annually and to eliminate the need to have low hazard devices tested routinely. After hearing testimony about the importance of backflow preventer testing, the bill was amended to retain the requirement of twice annual testing of high hazard devices and once annual testing of commercial low hazard devices while more closely defining that residential low hazard devices do not need routine testing. Vote 11-0.

Amendment (0379h)

Amend RSA 485:11 as inserted by section 1 of the bill by replacing it with the following:

485:11 Backflow Device Requirements and Tests, Installations, Repairs and Replacements. There shall be a backflow prevention device installed at every connection to a public water system if the facility connected may pose a hazard to the quality of water supplied by the public water system as determined by the department. Where applicable, the facility receiving water from a public

water supply shall be responsible for having such drinking water distribution system protective backflow prevention devices inspected and tested by individuals certified by a third party who has been approved by the department to conduct backflow device inspection and testing certification. The facility shall also have backflow devices installed, maintained, repaired, and replaced by individuals qualified by either a plumbers license or by certification by the department under RSA 332-E:3, III proving competency in distribution system operation. The activities to be conducted by qualified individuals shall be specifically limited to the inspection and testing, maintenance, repair or replacement, and installation of the water meters, meter horns, backflow preventers, and assembly devices directly adjacent to and required as part of the protection for the drinking water distribution system. Testing of drinking water distribution system protective backflow prevention devices, where applicable, shall occur after installation or repair to ensure that new and repaired devices are working properly. There shall be a backflow prevention device installed at every connection to a public water system if the facility connected may pose a hazard to the quality of water supplied by the public water system as determined by the department of environmental services. The facility receiving water from a public water supply shall be responsible for having such backflow prevention devices installed, serviced, and tested by individuals qualified by license or certification to perform these activities. Testing of backflow devices shall occur twice annually unless the public water supplier determines the facility poses a low hazard, in which case testing shall be performed on an annual basis. The facility receiving water from a public water supplier is responsible for ensuring that the backflow prevention device is working properly to prevent backflow into the public water system. Testing shall also occur twice annually for [~~existing~~] ***any high hazard*** devices [~~unless~~] ***and facilities. When*** the public water supplier determines that the facility poses a low hazard, [~~in which case~~] testing shall occur annually. A residential property ***containing a non-testable device*** shall not be considered a [~~low~~] hazard facility [~~but~~] ***and shall not require annual testing. A residential property*** may be considered a high hazard facility if it has an irrigation system, private well connection, or other feature that may cause a public health risk. If an outside irrigation system is the sole reason a residential property is considered a hazard to the public water supply distribution system, such irrigation system shall be tested annually during the period when the irrigation system is operated. The facility receiving water from a public water supplier is responsible for ensuring that the backflow prevention device is working properly to prevent backflow into the public water system.

AMENDED ANALYSIS

This bill modifies the requirements for testing drinking water distribution system protective backflow prevention devices.

HB 326, relative to the membership of the board of registration of medical technicians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Sytek for Executive Departments and Administration. This bill would add a medical technician as a member to the board of medical technicians. The board's original composition did not include a medical technician. The committee felt that it was both appropriate and useful to have a medical technician representative on the board. The amendment clears up an ambiguity noticed by the NH board of medicine. Vote 15-1.

Amendment (0343h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the board of registration of medical technicians.

Amend the bill by replacing all after the enacting clause with the following:

1 Board of Registration of Medical Technicians; Membership. Amend RSA 328-I:2, I-III to read as follows:

I. There shall be a board of registration of medical technicians consisting of 5 members. The members shall be[~~:~~

~~(a) The commissioner, or designee.~~

~~(b) Four members~~] appointed by the governor with the consent of the council as follows:

[~~(1) Three~~] ***(a) Four*** licensed***, registered, or certified*** health care providers, ***only one of whom may be a medical technician required to be registered under this chapter,*** one of whom shall have experience supervising medical technicians, and one of whom shall be a licensed physician.

[~~(2)~~] ***(b)*** One public member, who shall be a person who is not, and never was, a member of a health care profession or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of medical services or an activity directly related to health care.

II. The members [~~under subparagraph (b)~~] shall be appointed to a term of 5 years. [~~The commissioner shall serve coterminous with his or her term of office.~~] No member shall serve more than 2 consecutive terms.

III. [~~Appointed~~] ***The*** members of the board shall receive $50 for each day actually engaged in the duties of the board and shall be reimbursed for all actual travel necessarily incurred in carrying out the provisions of this chapter.

2 Board of Registration of Medical Technicians; Registration. Amend RSA 328-I:5, I and II to read as follows:

I. A person engaging in work as a medical technician***, as defined in RSA 328-I:1, VI,*** in New Hampshire shall be registered in accordance with this chapter.

II. Any [~~person who is not registered as a~~] medical technician***, as defined in RSA 328-I:1, VI, who is not registered*** under this chapter, ***and who*** advertises himself or herself as being a medical technician, practices as a medical technician, or engages in such acts after receiving notice that such person's registration has been revoked shall be guilty of a misdemeanor.

3 Board of Registration of Medical Technicians; Powers and Duties of the Board. Amend RSA 328-I:3, VII to read as follows:

VII. Maintain a database of registered medical technicians and share all information received with other licensing boards or advisory committees within this state, and with appropriate boards out of state and with ***the office of Inspector General, Department of Health and Human Services and with*** any law enforcement entity, as allowed by RSA 91-A and in accordance with RSA 328-I:11, I.

4 Board of Registration of Medical Technicians; Rulemaking. Amend RSA 328-I:4, X to read as follows:

X. Procedures for sharing information with other in-state boards, ***the Office of Inspector General, Department of Health and Human Services,*** out-of-state boards and law enforcement entities.

5 Board of Registration of Medical Technicians; Registration; Temporary Registration. Amend RSA 328-I:6, V to read as follows:

V. Any medical technician who changes his or her name, place or status of employment in New Hampshire, or residence shall notify the board in writing within 30 days. For failure to report such a change within 30 days ***of such event***, the board may suspend the medical technician's registration.

VI. Once an application has been approved by the board, a temporary registration may be issued, pending receipt of the criminal records check and finger print information.

6 Board of Registration of Medical Technicians; Disciplinary Actions. Amend RSA 328-I:10, III to read as follows:

III. Every facility administrator, or designee, for any licensed hospital, health clinic, ambulatory surgical center, or other health care facility within the state shall report to the board any disciplinary or [~~adverse action~~] ***action related to disruptive conduct, professional incompetence or violation of an organizational rule or procedure involving controlled substances, or any adverse action which results in the termination of an employment relationship***, within 30 days after such action is taken, including situations in which allegations of misconduct are settled by voluntary resignation without adverse action, against a person registered by the board. Disciplinary or adverse action shall include the requirement that a registrant undergo counseling or be subject to any policy with regard to disruptive behavior.

7 Repeal. RSA 328-I:1, II relative to the definition of commissioner, is repealed.

8 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill makes certain changes in the law regarding registration of medical technicians.

HB 363, relative to Lyme disease awareness. **OUGHT TO PASS WITH AMENDMENT.** Rep. Mark L. Proulx for Executive Departments and Administration. This bill, as amended, requires that the governor annually proclaim May as Lyme disease awareness month. It also requires the HHS web site to include a link to the International Lyme and Associated Diseases Society (ILADS). This site provides information about other treatments for Lyme disease and considers that Lyme disease may need to be treated as a chronic condition. The HHS website would provide this link as a matter of information and not necessarily endorsement. Vote 12-0.

Amendment (0159h)

Amend RSA 126-A:5, XXVIII as inserted by section 3 of the bill by replacing it with the following:

XXVIII. The commissioner shall include a link to the International Lyme and Associated Diseases Society (www.ILADS.org) on its Internet website and may include a disclaimer that the department of health and human services neither endorses nor supports the position of the International Lyme and Associated Diseases Society.

HB 396-FN, relative to part-time employment by retirees in the New Hampshire retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter T. Hansen for Executive Departments and Administration. This bill sought to increase the allowable work hours for retired members of the New Hampshire Retirement System. Currently at 1300 hours in a calendar year to 1664 hours in a 12 month period. Insufficient information was brought to the committee with respect to the number of potential participants, the accurate fiscal impact to the NHRS, nor the critical need to increase hours to benefit the public. Therefore, the committee felt the current law is adequate. Vote 16-0.

HB 408, making a technical correction relative to fees for chiropractors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter T. Hansen for Executive Departments and Administration. This bill, as amended, establishes the initial and subsequent licensing fees and timing for renewal of licenses for chiropractors and audiologists. The bill establishes licensing procedures for the professions which conform to the established procedures for licensing by the joint board of licensure. Vote 12-1.

Amendment (0260h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Chiropractor Licenses. Amend RSA 316-A by inserting after section 14 the following new sections:

316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall receive a license from the board as a chiropractor permitted to practice in New Hampshire. The fee for an initial license and for a license renewal shall be $300. The initial license and renewal licenses shall be valid for the terms established under RSA 316-A:19.

316-A:14-b License Fees. Each applicant who qualifies under this chapter shall pay a fee for an initial license and for a license renewal of $300. The initial license and license renewals shall be valid for the terms established under RSA 316-A:19.

2 Audiology Licensure Required; License Renewal. Amend RSA 137-F:11, II to read as follows:

II. The board shall license each applicant who satisfies the requirements of this chapter. Upon payment of a $300 license fee, the board shall issue to such person a certificate of licensure which shall be evidence of the right to practice as an audiologist. [~~The license shall be valid for 2 years from the date of issuance.~~] ***The initial license shall be valid for at least 2 years and expire on June 30. Renewals shall be valid for 2 years from the date of renewal.***

3 Effective Date. This act shall take effect July 1, 2015.

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act. **OUGHT TO PASS.**

Rep. Peter B. Schmidt for Executive Departments and Administration. The sponsors of this bill, all members of the joint legislative committee on administrative rules, including two chairs and vice-chairs of the JLCAR, recognize that, although our statute RSA 541-A is quite mature and comprehensive, there are still aspects that can be improved as we operate the committee and observe general rule-writing developments, court decisions, electronic and digital innovations, improvements in forms, use of incorporation by reference, and the like. These changes, though not major, improve the administrative procedures act for the public and the agencies. Vote 13-0.

HB 456, relative to appointment of a veterans' ombudsman by the governor. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter B. Schmidt for Executive Departments and Administration. The sponsor informed the committee that the bill's intended purpose would result in duplication and therefore requested a recommendation of Inexpedient to Legislate. Vote 12-0.

HB 473, relative to the smoking policy at the New Hampshire veterans' home. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven P. Beaudoin for Executive Department and Administration. Though the veterans' home allows six or so existing residents to continue to smoke, new residents are required to quit. The committee felt that forcing someone to give up a habit that, in many cases, was promoted during their military service, was unfair to someone who put their life on the line for their country. This bill, as amended, requires new residents to attend a smoking cessation program but, if unsuccessful, allows them to continue to smoke in the designated outdoor smoking areas. Vote 15-2.

Amendment (0496h)

Amend the bill by replacing section 2 with the following:

2 New Section; Smoking Policy. Amend RSA 119 by inserting after section 9 the following new section:

119:9-a Smoking Policy. No otherwise qualified veteran shall be denied admission or have his or her admission delayed solely because he or she is a smoker who desires to continue to smoke, as a resident, in the home's designated smoking areas. Smoking veterans shall be offered smoking cessation assistance by the home, shall be required to agree to participate in such a program as a condition of admission, but shall not be required to complete such a program successfully as a condition of continued residence. Smoking veterans who refuse smoking cessation assistance or fail the voluntary smoking cessation program shall be permitted to smoke only in the home's designated smoking areas.

HB 484, relative to the board of nursing and exemptions from licensure by the board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended, addresses a present shortage among service providers caring for elderly or disabled persons who require their medications to be administered to them. It represents an agreement between the board of nursing and a group of such service providers to develop protocols and training to expand the pool of competent personnel able to give medications. Vote 16-0.

Amendment (0647h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to medication administration by licensed nursing assistants and relative to exemptions from regulation for certain nursing care and attendant care services.

Amend the bill by replacing all after the enacting clause with the following:

1 Nurse Practice Act; Scope of Practice; Licensed Nursing Assistants. Amend RSA 326-B:14, II to read as follows:

II. An LNA is responsible for competency in the nursing assistant curriculum approved by the board. ~~[LNAs are authorized to administer medication when they hold a currently valid certificate of medication administration and under the circumstances established by the board through rules adopted pursuant to RSA 541-A.]~~

II-a. An LNA is authorized to administer medication if:

(a) The LNA holds a currently valid certificate of medication administration; or

(b) A licensed nurse delegates the task of medication administration to the LNA who is employed in the home care, residential care, or adult day care setting. The board, in consultation with the commissioner of health and human services or a designee, shall adopt rules under RSA 541-A establishing standards for such delegation of medication administration which include, but are not limited to, limitations on the number of delegations per assistive personnel, training and competency requirements, documentation requirements, and medication administration error reporting requirements.

2 New Chapter; Nursing Care and Consumer Directed Attendant Care Services. Amend RSA by inserting after chapter 332-J the following new chapter:

CHAPTER 332-K

NURSING CARE AND CONSUMER DIRECTED ATTENDANT CARE SERVICES

332-K:1 Nursing Care and Consumer Directed Attendant Care Services; Care by Unlicensed Persons. No provision of Title XXX shall prohibit the following care:

I. Nursing care provided by family and friends.

II. Consumer directed attendant care services directed by or on behalf of an individual with a disability of any age who requires assistance with such services in order to live in his or her home and community, including a residential care facility.

III. For the purpose of this section:

(a) "Attendant care services" means assistance with any of the following:

(1) Activities of daily living;

(2) Instrumental activities of daily living; or

(3) Health maintenance activities.

(b) "Health maintenance activities" means activities that a licensed health care professional determines could be performed by the individual if the individual were physically able and may safely be performed in the home or community setting. Such activities include, but are not limited to, bowel and bladder care, routine ostomy care, medication administration, and wound care.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill clarifies the authority of licensed nurse assistants to administer medication and adds an exemption from regulation for nursing care and consumer directed attendant care services provided by unlicensed persons.

HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers. **OUGHT TO PASS.**

Rep. Peter B. Schmidt for Executive Departments and Administration. The committee heard uncontroverted testimony that the statutes governing the referenced trades and businesses dealing in metals generally are antiquated and inadequate. Metals theft is a growing and pernicious threat to NH property owners and the people of NH in general. The above-referenced business sector is also placed in jeopardy by the criminal element involved in metals theft and recognizes that a collaborative effort to update and reform the relevant statutes is urgently needed, which they both support and are prepared to participate in; the committee concurs. Vote 15-0.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions. **OUGHT TO PASS.**

Rep. David J. Danielson for Finance. This bill as submitted seeks to provide a board or commission the ability to require a licensee, registrant, or certificate holder who is subject to misconduct that is sufficient to support a disciplinary action to compensate the board or commission for reasonable costs of investigation and prosecution up to a maximum of $10,000 per incident. This sum may be imposed in addition to any otherwise authorized administrative fines levied by the board or commission as part of the penalty. The investigative and prosecution costs shall be assessed by the board or commission and any sums recovered shall be credited for the use of the board or commission and disbursed by the board or commission for any future investigations of complaints. The discussion of the bill, the testimony of a prime sponsor caused division I of finance to recommend the bill as Ought to Pass and the essence of the bill and accompanying fiscal note to be included in HB 2. The vote was bipartisan. Vote 23-0.

HB 561-FN, relative to the use of revenues generated by electric and other utility company leases and rentals. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph A. Pitre for Finance. The premise of this bill was to place revenue received by the state from rental, lease and royalties from utilities into the revenue stabilization account. According to the public utilities commission there are no state properties being utilized that would fall into this category. If in the future some arrangement might be made by the state, then this concept could be explored in greater detail. Vote 24-0.

HB 580-FN, relative to travel expenses for members of the building code review board. **INEXPEDIENT TO LEGISLATE.**

Rep. Lynne M. Ober for Finance. This bill would have established mileage reimbursement for the building code review board for travel to and from board meetings. This would have required an appropriation of approximately $10,000 per year for each year of the biennium. Because it is a budget year, the committee felt it was more appropriate to ITL this bill and establish mileage reimbursement as part of the biennium's budget. Vote 23-0.

HB 651-FN-L, transferring the portion of special education costs directly related to health issues to the department of health and human services. **INEXPEDIENT TO LEGISLATE.**
Rep. Kenneth L. Weyler for Finance. This concept has been tried before, unsuccessfully. There is within the department of health and human services a program called "Katie Beckett." This program requires DHHS to pay for medical assistance for a special education student where the individual education program (IEP), calls for it. This requirement is based upon the income of the student rather than the parent's income. So regardless of the family insurance or income, DHHS pays. Previously we attempted to get the department of education and DHHS to give us, in a non-identified way, the amounts involved in a school's catastrophic aid request. Despite the request for non-identified information, DHHS stymied us with HIPAA. We fear a repeat of this. Vote 24-0.

HB 671-FN-A, relative to mental health first aid training and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**
Rep. J. Tracy Emerick for Finance. This bill is relative to mental health first aid training and was amended by the policy committee. During discussions with the prime sponsor and agency representative, it was discovered that the agency thought that a non-lapsing dedicated fund would be more appropriate because the expected receipt of grants and donation would be relatively small. The committee discussed whether this should be part of the budget process and the agency agreed, but commented that they were unaware of the request until after it was too late discussing whether they wanted this in their budget. Since dedicated funds are handled by ways and means, house finance will refer the request to that committee for possible inclusion in HB 1 and HB 2. Vote 22-1.

HB 674-FN, relative to the salaries of certain unclassified positions. **INEXPEDIENT TO LEGISLATE.**
Rep. David J. Danielson for Finance. This bill as submitted seeks to codify certain unclassified positions, amends a title of a position in the department of administrative services and to amend 2013, 205:2 relative to a financial examinations supervisor in the insurance department. A number of positions were suggested for increased compensation as a result of the reclassifications sought. The discussion and testimony led finance division I to the conclusion that these items should be included in the budget because they should take effect in the next biennium. Because the budget is currently being discussed in house finance, the decision was to include this into the appropriate, associated sections of HB 1 and HB 2. Vote 23-0.

HB 212, relative to revocation of hunting licenses of persons convicted of a felony while hunting, trapping, or fishing. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James A. Spillane for Fish and game and Marine Resources. This bill, as amended, closes a flaw in the process that allowed sexual predators to retain hunting, fishing, and trapping privileges. As amended, it tightly works to compel the director of fish and game to revoke those privileges when sexual offenses are committed while hunting, fishing, or trapping and protects the young hunters, fishers, and trappers. Vote 14-0.

Amendment (0229h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing.

Amend the bill by replacing section 1 with the following:

1 Fish and Game; Sexual Assault Conviction; Revocation of Licenses. Amend RSA 214:19 to read as follows:

214:19 Revocation or Suspension for Conviction.

I. The executive director may revoke or suspend the license of any person who has been found guilty in any court of a violation of any provision of this title or any rule or regulation of the executive director, or who has been found guilty in a municipal or district court of a violation of RSA 163-B or RSA 635:2. Such revocation or suspension shall not continue for more than one year from the date thereof, except for a conviction under RSA 208:8, in which case the revocation or suspension may be for a period not to exceed 5 years, or except for a conviction under RSA 208:1-a, in which case the revocation or suspension may be for a period not to exceed 2 years.

II. The executive director shall revoke or suspend the license of any person who has been found guilty in any court a second time within 5 years of the first finding of guilt, of a violation of any such laws or regulations, for a period of not less than one, nor more than 3 years from the date of such finding or conviction.

III. The executive director shall revoke the license, for a period of not less than 5 years, of any person convicted of aggravated felonious sexual assault, felonious sexual assault, or sexual assault, except for sexual assault under RSA 632-A:4, I(c), which occurred while the person was engaged in hunting, trapping, or fishing.

AMENDED ANALYSIS

This bill requires that the minimum period of revocation of a license issued by the fish and game department for a person convicted of sexual assault while hunting, trapping, or fishing is 5 years.

HB 423, designating the bobcat as the New Hampshire state wildcat. **OUGHT TO PASS.** Rep. Harold B. Parker for Fish and Game and Marine Resources. This bill recognizes the rebound of the bobcat in the state of New Hampshire. They are found from Massachusetts to Canada. The bobcat is an important part of New Hampshire's ecosystem. Designating the bobcat as New Hampshire's state wildcat is fitting because the bobcat's unique and elegant features are symbolic of New Hampshire's abundant natural beauty. This bill is also an excellent example of a civics lesson where grade school students from Peterborough have experienced what it's like to work with the New Hampshire General Court. Vote 14-0.

HB 251-FN, excluding circumcision from the state Medicaid plan. **INEXPEDIENT TO LEGISLATE.** Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill would exclude medicaid patients from funding for circumcision. The committee heard extensive testimony on both sides of the issue. Data and recommendations from the American Academy of Pediatrics supported the health benefits of the practice. Religious considerations were also heard. It was noted that the bill would disproportionately impact those with limited financial resources. Finally, it was understood that the department of health and human services already has their authority. Therefore, the committee voted overwhelmingly Inexpedient to Legislate. Vote 16-1.

HB 383, relative to the immunization/vaccination registry. **OUGHT TO PASS WITH AMENDMENT.** Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill, as amended, creates privacy protection for the immunization/vaccination registry. The format is opt out with required full disclosure of the patient's right to opt out at the time of each vaccination. Opt out may occur at any time with either no entry in the registry or complete removal of any data already therein. This allows for an effective registry while ensuring the privacy rights of those who do not wish to participate. Vote 16-1.

Amendment (0724h)

Amend RSA 141-C:20-f as inserted by section 2 of the bill by replacing it with the following:

141-C:20-f Immunization/Vaccination Registry.

I. The department shall establish and maintain a state immunization/vaccination registry. The registry shall be a repository of accurate, complete and current immunization/vaccination records to aid, coordinate, and promote immunization/vaccination uptake in accordance with paragraph VI and provide for vaccine inventory monitoring and controls.

II. No patient, or the patient's parent or guardian if the patient is a minor, shall be required to participate in the immunization/vaccination registry. At the time of immunization/vaccination by an administering health care provider or prior to or at an office visit with a current health care provider, a patient, or the patient's parent or guardian if the patient is a minor, shall be provided an opportunity by the administering or current health care provider to opt out of the registry. Such an opportunity shall be provided in writing in a clear, succinct and conspicuous manner, in simple language, and in a form style and size easily readable by the average adult. If the communication is outside of an office visit, it shall be individually directed and the sole subject of the communication. The option shall be exercised by the patient or, if the patient is a minor, the patient's parent or guardian by checking off a box and dating and signing the document. For each patient who does not exercise this option, the administering or the current health care provider shall provide to the immunization/vaccination registry such information relating to immunizations/vaccinations contained in the patient's medical records held by the health care provider as the commissioner may require by rule. At the request of a former patient, any health care provider shall provide to the immuniza-

tion/vaccination registry such information relating to immunizations/vaccinations contained in the patient's medical records held by the health care provider as the commissioner may require by rule. No health care provider shall provide to the department or to the immunization/vaccination registry the name of, or any information relating to any patient who opts out of participating in the registry.

III. Except as provided in paragraph II, no information relating to an immunization/vaccination shall be reported by a health care provider or by any other person to the immunization/vaccination registry.

IV. Access to the information in the registry shall be limited to physicians, nurses, other appropriate health care providers, including those licensed in other states as determined by the commissioner, schools, and child care agencies, but only for named individuals in their care, and a record of each such access shall be kept by the immunization/vaccination registry. Health agencies of the state of New Hampshire or its political subdivisions demonstrating a need for such information, as determined by the commissioner for the purposes set forth in paragraph VI, shall have such access as the commissioner may determine. Access by health agencies of other states or the federal government, or by researchers, shall be limited to de-identified data only.

V. A patient who participates in the immunization/vaccination registry, or the patient's parent or guardian if the registrant is a minor:

(a) May review and correct information contained in the immunization/vaccination registry upon verification from the patient's health care provider in which case only the corrected information may remain in the registry, and no other record of the transaction, including the request itself, shall be kept; or

(b) May withdraw from participation at any time and remove information from the immunization/vaccination registry by submitting a request in writing to the department in which case no information relating to the patient shall remain in the registry, and no record of the transaction, including the request itself, shall be kept.

VI. The information contained in the registry shall be used for the following purposes:

(a) To remind registrants to receive all required immunizations/vaccinations in a timely manner by providing access to the registrant's immunization/vaccination record and to provide registrants with information about recommended immunizations/vaccinations.

(b) To assure appropriate management and use of vaccines distributed by the department.

(c) To control communicable diseases by assisting in the identification of individuals who require immediate immunization/vaccination in the event of a disease outbreak.

VII. The commissioner shall adopt rules under RSA 541-A concerning the following:

(a) The establishment and maintenance of the immunization/vaccination registry.

(b) The methods for submitting and content of reports of immunizations/vaccinations.

(c) Procedures, for the patient or, if the patient is a minor, for the patient's parent or guardian to opt out of participation in the immunization/vaccination registry at any time.

(d) Procedures for the patient or, if the patient is a minor, for the patient's parent or guardian to review and correct information contained in the immunization/vaccination registry.

(e) Procedures for the patient or, if the patient is a minor, for the patient's parent or guardian to remove information from the immunization/vaccination registry.

(f) Limits on and methods of access to the registry by those authorized to gain access under paragraph IV of this section.

(g) Procedures for managed care organizations to obtain summary statistics of immunization information on managed care organization members from the registry.

(h) Procedures for the patient or, if the patient is a minor, for the patient's parent or guardian to reverse the previous decision to opt out of the immunization/vaccination registry.

VIII. Any person reporting, receiving, or disclosing information to or from the immunization/vaccination registry as authorized by this section or by any rule adopted pursuant to this section shall not be liable for civil damages of any kind connected with such submission or disclosure of immunization/vaccination information.

IX. Nothing in this section is intended to affect the obligations of persons under RSA 141-C:20-a to have their children immunized/vaccinated.

X. Nothing in this section shall preclude the right of the patient, or the patient's parent or guardian if the patient is a minor, to claim exemption from immunization/vaccination as defined in RSA 141-C:20-c; nor shall anything in this section require such patient to be included in the immunization/vaccination registry if the patient, or the patient's parent or guardian if the patient is a minor, objects thereto on any grounds.

XI. No health care provider shall discriminate in any way against a person solely because that person elects not to participate in the immunization/vaccination registry.

XII. Information collected under this section shall be treated as confidential and the records containing such information shall be exempt from the public disclosure provisions of RSA 91-A.

XIII. Information in the immunization/vaccination registry may be transferred to or from the immunization/vaccination registry through a health information organization, as defined in RSA 332-I:1, II(c), provided that no such information shall be retained by the health information organization.

HB 422-FN, relative to the signing authority of physician assistants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary C. Freitas for Health, Human Services & Elderly Affairs. This bill authorizes physician assistants to certify death certificates. Other states have this in place at this time. An amendment removed the section in the original bill which would have allowed physicians assistants to authorize involuntary commitment and involuntary admission to state institutions. Vote 17-0.

Amendment (0671h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to certification of death certificates by physician assistants.

Amend RSA 5-C:62, III(c) as inserted by section 5 of the bill by replacing it with the following:

(c) The official capacity of the registered nurse or physician, which shall be: attending/associate physician or APRN ***or physician assistant***; non-attending physician or APRN ***or physician assistant***; pronouncing registered nurse; medical examiner/deputy medical examiner; temporary/assistant medical examiner; or assistant deputy medical examiner, non-physician.

Amend RSA 5-C:64I V(b) as inserted by section 8 of the bill by replacing it with the following:

(b) For deaths occurring in a nursing home or in a similar non-acute care hospital or institution, the attending physician [~~or~~], APRN, ***or physician assistant*** shall be the physician [or], APRN, ***or physician assistant*** who regularly attends to the medical needs of the nursing home residents or the resident's personal physician [~~or~~], APRN, ***or physician assistant*** if the resident was under the care of such physician [~~or~~] , APRN, ***or physician assistant***.

Amend the bill by replacing section 13 with the following:

13 Amendments and Corrections to a Death Record. Amend RSA 5-C:94, II-V to read as follows:

II. The certifying physician [~~or~~], APRN, ***or physician assistant*** shall initiate corrections concerning the cause of death, in writing, to the division, by signing and completing the supplemental death certificate as described in RSA 5-C:62.

III. The correction authorization from the physician [~~or~~], APRN, ***or physician assistant*** shall be retained by the division in accordance with the retention schedule for a death record as established by this chapter. The death record shall be amended and noted as being amended.

IV. In the case where the division queries the physician [~~or~~], APRN, ***or physician assistant*** concerning the cause of death, the physician [~~or~~], APRN, ***or physician assistant*** shall send notice of the change in the cause of death directly to the division.

V. The physician's [~~or~~], APRN's, ***or physician assistant's*** information concerning a change in the cause of death shall be retained by the division in accordance with the retention schedule for a death record established by this chapter. The death record shall be amended and noted as being amended.

Amend the bill by deleting sections 17-22 and renumbering the original section 23 to read as 17.

AMENDED ANALYSIS

This bill allows physician assistants to certify death certificates.

HB 517, relative to disciplinary actions for physicians whose license to practice is suspended or revoked. **INEXPEDIENT TO LEGISLATE.**

Rep. Helen M. Deloge for Health, Human Services & Elderly Affairs. This bill seeks to impose further disciplinary actions on physicians following the voluntary, or involuntary suspension, or revocation of a medical license. The bill seeks to ban financial, or ownership interest in the physician's group practice, or health care facility. As a disciplinary action has occurred, regarding licensure, it is not appropriate to impose further action that may be considered by the facility's licensing board. Vote 17-0.

HB 628-FN, relative to indemnification of health care facilities under certain circumstances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J. Schmidt for Health, Human Services & Elderly Affairs. This bill, as amended, provides that health care facilities licensed under RSA 15-C, when acting in good faith, should disclose employment information regarding employee misconduct and competency upon request of a prospective employer. The providing facility, its directors and employees shall be immune from civil liability for providing the information unless it is proven that the disclosed information was false. This legislation is the fourth recommendation from the NH statewide taskforce on drug diversion to prevent another outbreak similar to the hepatitis C outbreak in Exeter. Vote 17-0.

Amendment (0718h)

Amend RSA 151:16-c as inserted by section 1 of the bill by replacing it with the following:

151:16-c Health Care Facilities; Disclosure of Employment Information; Immunity. Any facility licensed under this chapter shall, when acting in good faith, disclose employment information regarding misconduct and competency about a health care worker upon request of a prospective or current employer. A facility and its directors and employees who provide information in accordance with this section shall be immune from civil liability for providing the information or for any consequences that result from the disclosure of the information unless it is alleged and proven that the information disclosed was false and disclosed with knowledge that such information was false.

AMENDED ANALYSIS

This bill declares that any facility licensed under RSA 151 shall provide certain employment information to any other facility regarding an employee or prospective employee if the information was provided in good faith.

HB 108-FN, relative to the content and sealing of minutes in nonpublic sessions under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy O. Horrigan for Judiciary. A committee or other governmental body can hold nonpublic sessions only to discuss certain specific subject matters. RSA 91-A: 3 contains 11 subparagraphs which basically limit nonpublic sessions to: personnel and labor issues, contract negotiations, litigation, public safety issues, private financial information, and other confidential information. Usually, the minutes will end up being sealed, for the same reasons why the session itself was made nonpublic in the first place. The existing law already requires the body to affirmatively take a recorded vote to seal the minutes of a nonpublic session. This bill merely deals with how such votes are taken. Members of a committee or other body are still allowed to debate the issue of sealing the minutes in nonpublic session— but the actual recorded vote has to happen in public session. The majority of the judiciary committee agreed that the passage of HB 108, as amended, would increase the public's confidence that nonpublic sessions are being held only when necessary. Vote 17-0.

Amendment (0684h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to sealing nonpublic session minutes.

Amend RSA 91-A:3, III as inserted by section 1 of the bill by replacing it with the following:

III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present[~~,~~] ***taken in public session,*** it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective, or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying out of all emergency functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life. This shall include training to carry out such functions. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

AMENDED ANALYSIS

This bill declares that a vote to seal nonpublic session minutes shall be taken in public session.

HB 138-FN, relative to inspection of governmental records under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael J. Sylvia for Judiciary. The committee had three very similar bills addressing RSA 91-A:4 IV, all seeking to clarify and strengthen the public's right to inspect, or receive electronic records without being charged a fee. The committee unanimously agreed to amend HB 606 to encompass HB 656 and HB 138. Vote 15-0.

HB 285, relative to discussion with legal counsel under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Hull for Judiciary. Under current New Hampshire law, public bodies are permitted to conduct meetings in nonpublic session for specific enumerated purposes. This bill, as amended, creates a new permitted purpose for the nonpublic session for public bodies to consider correspondence from counsel. This would be a cost saving for public bodies, as legal counsel would no longer need to be present in order to consider correspondence in a nonpublic environment. Vote 18-0.

Amendment (0237h)

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Right-to-Know Law; Nonpublic Sessions. Amend RSA 91-A:3, II by inserting after subparagraph (j) the following new subparagraph:

(k) Consideration of correspondence from legal counsel.

AMENDED ANALYSIS

This bill adds correspondence with legal counsel to the law governing nonpublic sessions under the right-to-know law.

HB 309, permitting landlords to remove tenants' property in certain circumstances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McLean for Judiciary. RSA 540-A:3 III currently prohibits a landlord from in any way denying a tenant access to their personal private property. The only means of redress now available to the landlord is through the judicial process of the courts. This bill, as amended, would give landlords the legal authority to remove tenant property in certain limited circumstances. In cases where an immediate threat to the health and safety of another tenant or person is present, such as a blocked fire lane, no notification would be required for removal. In the absence of an immediate threat, the landlord may remove the tenant property after 48 hours notice if the property is leaking and causing damage or an environmental hazard. Tenant property that is inoperable, located in a no parking area, or stored in violation of the lease agreement could be removed after six (6) days notice. This bill strikes a balance; allowing landlords to operate their properties in a way that preserves property integrity and community safety, while maintaining the right of notification for tenants. Vote 17-1.

Amendment (0429h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Prohibited Practices; Removal of Property. Amend RSA 540-A:3 by inserting after paragraph II the following new paragraphs:

II-a. Notwithstanding paragraph II, and subject to the notice requirements of paragraph II-b:

(a) A landlord may remove, at the expense of the item's owner, any vehicle, motorcycle, trailer, ATV, or other property that blocks vehicular access to a common driveway, fire lane, parking area, or travel lane, or blocks access to a dumpster.

(b) A landlord may remove, at the expense of the item's owner, any property that is leaking fluids that are damaging the parking surface or creating an environmental hazard.

(c) A landlord may remove, at the expense of the item's owner, any property that is located in a posted no-parking area, is unregistered or inoperable, or is parked or stored in a manner prohibited under the terms of a lease agreement.

II-b. Prior to removing an item pursuant to paragraph II-a, the landlord shall provide notice as follows:

(a) In cases under RSA 540-A:3, II-a(a), prior to removal of the item the landlord shall make such efforts to notify the tenant who owns or possesses the item, if the landlord knows such tenant's identity, as are reasonable under the totality of the circumstances. If there is an immediate threat to the health or safety of another tenant or person, no notice shall be required.

(b) In cases under RSA 540-A:3, II-a(b), the landlord shall provide written notice no fewer than 48 hours prior to removing the property by:

(1) Placing a written notice on the item; and

(2) If the landlord knows the identity of the tenant who owns or possesses the item, placing a written notice on the door of such tenant's unit; or

(3) If the landlord does not know the identity of the tenant who owns or possesses the item, placing a written notice in a conspicuous location in one common area of each building in the apartment complex.

(c) In cases under RSA 540-A:3, II-a(c), the landlord shall provide the following notices to the tenant prior to removing the property:

(1) First notice, at least 6 days prior to removal of the item, by:

(A) Placing a written notice on the item; and

(B) If the landlord knows the identity of the tenant who owns or possesses the item, placing a written notice on the door of such tenant's unit; or

(C) If the landlord does not know the identify of the tenant who owns or possesses the item, placing a written notice in a conspicuous location in one common area of each building in the apartment complex; and

(2) Final notice, at least 24 hours prior to removal of the item, by:

(A) Placing a written notice on the item; and

(B) If the landlord knows the identity of the tenant who owns or possess the item, placing a written notice on the door of such tenant's unit; or

(C) If the landlord does not know the identity of the tenant who owns or possesses the item, placing a notice in a conspicuous location in one common area of each building in the apartment complex.

II-c. A landlord who removes a tenant's property pursuant to paragraphs II-a and II-b shall not initiate any possessory action based on the tenant's failure to remove the item; provided that if such failure caused substantial damage to the property of the landlord or another tenant, or injury to another person, the landlord may initiate eviction pursuant to RSA 540:2, II(b) or (d).

2 Effective date. This act shall take effect January 1, 2016.

HB 418, relative to waiver of rights to inherited property. **OUGHT TO PASS WITH AMENDMENT.** Rep. Claire A. Rouillard for Judiciary. This bill, as amended, allows a person who inherits real property to disclaim any interest in it. It allows a person to sign a waiver with the court and record that waiver in the registry of deeds in the county in which the real estate is located. That waiver will eliminate responsibility or liability related to that property, to the person who signed the waiver as well as his or her heirs and assigns. Vote 15-0.

Amendment (0242h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to waiver of rights to devised or inherited real property.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Waiver of Rights to Devised or Inherited Real Property. Amend RSA 554 by inserting after section 18-a the following new section:

554:18-b Waiver of Rights to Devised or Inherited Real Property. Notwithstanding any right to disclaim an interest in property as provided for in RSA 563-B, a person who has been devised real estate by testamentary instrument, or inherited under the laws of intestacy, may waive his or her rights to the property by filing a written notice of waiver with the court in which the estate administration is pending that shall include a legal description of the property. The waiving party shall provide a copy of the waiver to the administrator of the estate and shall record an attested copy in the registry of deeds in the county in which the real estate is located. Once filed with the court and recorded at the registry of deeds, the waiver may not be revoked. The effect of the waiver will be to relinquish the right of the waiving party and his or her heirs and assigns from receiving any and all right, title, and interest in and to the real estate. The waiving party and his or her heirs and assigns shall thereafter bear no

responsibility or liability related to or arising from the real estate. The cost to record the waiver in the registry of deeds shall not exceed $5. A waiver filed after the final account has been allowed, or the estate administration has been closed by other means, shall not be effective.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill allows a person who is devised or inherits real property to waive his or her rights to such property. The fee charged for filing a waiver document shall not exceed $5.

HB 447, relative to quorums for meetings under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. This bill seeks to modify the current requirement of a physically present quorum as to state boards, commissions or authorities save for the trustees of the university system. A quorum may be achieved by a combination of physical presence and participation and telephone or electronic communication. While this measure might allow participation on boards by persons of limited mobility, it would require purchase of the needed equipment, and more importantly would deprive participants of a full opportunity of give and take, and of assessing demeanor of participants. This measure, if adopted, would encourage meetings with as few as one member actually present. This would not be in the best interest of the people of New Hampshire. Vote 16-1.

HB 633-FN, establishing a right-to-know grievance commission and relative to notice of meetings under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Hull for Judiciary. This bill establishes a right-to-know grievance commission consisting of 15 citizens who will serve without pay. The commission members would hear right-to-know complaints statewide at a cost of $75.00 for each complaint. The judiciary committee felt that some form of an appeals system might be helpful but agrees that structure of this commission is unworkable. The commission members would need to travel long distances, possibly overnight without pay. No adjudication authority has been given to the commission. As such the decision would be only advisory. Further, the right-to-know law is extremely technical; as such may be more than the commission members can understand. While a competent and speedy right-to-know appeal system may be helpful, this presents an unworkable process. Vote 17-1.

HB 641-FN, relative to certain causes of action by inhabitants of this state. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlene F. Takesian for Judiciary. Neither sponsor of the bill came to present information with regards to what the purpose of this bill is. Based on the wording of the bill it wasn't clear what the sponsor's intent was. With no information available and no one to testify on either side, the committee voted Inexpedient to Legislate on this bill. Vote 11-0.

HB 656-FN-L, relative to inspection of governmental records under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael J. Sylvia for Judiciary. The committee had three very similar bills addressing RSA 91-A:4 IV, all seeking to clarify and strengthen the public's right to inspect, or receive electronic records without being charged a fee. The committee unanimously agreed to amend HB 606 to encompasses HB 656 and HB 138. Vote 15-0.

HB 163, establishing a state minimum hourly rate. **INEXPEDIENT TO LEGISLATE.**

Rep. Nick Zaricki for Labor, Industrial and Rehabilitative Services. This bill, if passed into law, would increase the minimum wage more than one hundred percent, from $7.25 per hour, to $16.00 per hour. The committee heard 3 bills addressing minimum wage increases; the bipartisan majority recommends ITL on this bill and HB 392 and allowing debate on the issue on HB 684. Vote 17-2.

HB 347, relative to payment of wages of certain hourly school district employees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fred Doucette for Labor, Industrial and Rehabilitative Services. This amended, enabling legislation allows for various options of payment that are currently not available to hourly employees subject to conditions of a collective bargaining agreement. The bill also contains an employee opt out clause. Vote 19-0.

Amendment (0426h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Payment of Wages; Hourly School District Employees. Amend RSA 275:43 by inserting after paragraph IV the following new paragraph:

IV-a.(a) The commissioner shall permit payment of wages less frequently than weekly where a school district collective bargaining agreement for hourly employees provides an option to be paid in any number of equal installments with one additional installment.

(b) Such additional installment shall require a full reconciliation of pay at least once each calendar year. Each employee shall be informed in writing, prior to choosing the equal payment option, that the reconciliation could result in a paycheck of less than the equal pay amount to a possible zero balance due the employee. In all instances, payment shall be made regularly on a predesignated date. The commissioner may prescribe the terms and conditions of such permission, and limit the duration thereof.

(c) Any employee may exclude himself or herself from participation in the provisions of this paragraph. If the employee chooses this option, the employee shall notify the school district in writing prior to the first pay check.

HB 361, relative to the definition of "employee." **OUGHT TO PASS WITH AMENDMENT.** Rep. Tammy A. Simmons for Labor, Industrial and Rehabilitative Services. Being aware of changes in the workplace where more and more people are working for an employer outside of the "traditional" workplace, the committee unanimously agreed that the issue deserves a more in-depth study. Vote 19-0.

Amendment (0132h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. The general court recognizes that the technology sector is an increasingly important part of our economy and that supporting and encouraging technology driven businesses to locate and expand in New Hampshire will benefit our citizenry with high-wage career opportunities and spin-off economic benefits.

2 Committee Established. There is established a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

3 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

4 Duties.

I. The committee shall:

(a) Investigate how many persons are working exclusively at home via the Internet for online business activities and are currently considered employees in both the public and private sector.

(b) Analyze and propose changes, if any, to state laws which define employee, including, but not limited to: RSA 275:4, II, RSA 275:42, II, RSA 275-E:1, I; and RSA 279:1, X.

(c) Identify other state's definitions of employee pertaining to persons who may be working exclusively at home via the Internet for online business activities.

(d) Analyze the potential impact and the economic advantages and disadvantages in New Hampshire of any proposed legislation.

II. The committee may work with and obtain information from the following individuals, state agencies, and organizations, and others as deemed appropriate:

(a) Persons who are working from home.

(b) Employers of persons who are working from home.

(c) The department of labor.

(d) The department of employment security.

5 Chairperson; Quorum. The first-named house member shall be the committee chairperson. The first meeting of the committee shall be called by the committee chairperson. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

7 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

HB 411, prohibiting the payment of subminimum wages to persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tammy A. Simmons for Labor, Industrial and Rehabilitative Services. This bill, as amended, eliminates an anachronistic policy that dates back to the 1930s and 1940s. No employers or agencies in NH currently pay sub-minimum wages to disabled employees. This bill does not impact the ability to pay sub-minimum wages in a family business under 279:26a or for training purposes under 279:22-aa. The committee unanimously recognized that disabled people deserve the same dignity and employment opportunities within the same guidelines as everyone else. Vote 20-0.

Amendment (0075h)

Amend RSA 279:21-b as inserted by section 1 of the bill by replacing it with the following:

279:21-b Payment of Subminimum Wages. Except as provided in RSA 279:22-aa and RSA 279:26-a, no person shall employ any individual with a disability as an employee at an hourly rate lower than that set forth in RSA 279:21.

HB 521, relative to the size of the pool of the workers' compensation appeals board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Leonard P. Turcotte for Labor, Industrial and Rehabilitative Services. This bill was a direct request of the department of labor. Testimony primarily focused on the sometimes needless and costly requirement to maintain a pool of 33 members to the Workers' Compensation Appeal Board even when the caseload was light. The request was to change the existing language, to a requirement of "up to 33 members." The committee, however, believes a minimum number of members should also exist which necessitated the amendment to require a "minimum of 21 members." The bill also requested, through amendment, to raise the daily per diem for each member of the board. Testimony and data provided by presenters convinced the committee that the per diem increase was warranted. For the foregoing reasons, the committee finds this bill OTP/A. Vote 20-0.

Amendment (0698h)

Amend RSA 281-A:42-a, I as inserted by section 1 of the bill by replacing it with the following:

I. There is established a compensation appeals board. The board shall consist of a pool of ***not less than 21 and not more than*** 33 members, of which [~~11~~], ***to the extent possible, 1/3 of the*** members shall represent labor, [~~11~~] ***1/3 of the*** members shall represent employers or workers' compensation insurers and [~~11~~] ***1/3 of the*** members shall be attorneys who shall be neutral. Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such

annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Compensation Appeals Board; Compensation. Amend RSA 281-A:42-a, III to read as follows:

III. Attorney members of the board shall receive [~~$200~~] ***$350*** per diem and all other members of the board shall each receive [~~$150~~] ***$250*** per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses.

AMENDED ANALYSIS

This bill adjusts the size of the workers' compensation appeals board and increases per diem compensation for members of the board.

HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law. **OUGHT TO PASS.**

Rep. Katherine Prudhomme-O'Brien for Labor, Industrial and Rehabilitative Services. This bill unified federal and state terminology pertaining to potentially dangerous substances used in the workplace and aims to make such documents as understandable, clear and uniform as possible. Vote 19-0.

HB 523, relative to the jurisdiction of the penalty appeal board. **OUGHT TO PASS.**

Rep. Anthony J. Pellegrino for Labor, Industrial and Rehabilitative Services. This bill clarifies that the penalty appeal board shall hear appeals on all penalties imposed by the commissioner of labor and has no opposition from the committee. Vote 19-0.

HB 300, requiring state employees and state public officials to obtain prior permission to attend meetings and hearings of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Jack B. Flanagan for Legislative Administration. This bill would restrict the attendance of state employees acting in their official capacity at any legislative meeting of hearing unless their presence was requested by the chair of a committee of the general court. The majority of the committee felt that all meetings were public regardless of the attendees' job status. Additionally, it was felt that a state employee of an affected agency provides valuable information on pending legislation and its implementation. Vote 8-0.

HB 452, repealing the governor's authority to declare a state of emergency. **INEXPEDIENT TO LEGISLATE.**

Rep. Jack B. Flanagan for Legislative Administration. This bill would remove the governor's authority to declare a state of emergency and grant that authority solely to the legislature. For a number of reasons, the majority of the committee felt that this bill was not practical. These reasons include that the legislature is not in session year round, and our state may be bound by certain requirements set forth by the federal government dealing with important matters relating to emergency operations, natural disaster relief, and homeland security. As the chief executive of the state, the governor should have the authority to declare emergencies and be able to direct state resources. Vote 8-1.

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. **OUGHT TO PASS.**

Rep. Anthony J. Pellegrino for Legislative Administration. This bill is the result of the work of the Commission to Study and Update the Rules and Procedures of the Legislative Ethics Committee. The commission met regularly for 12 months and solicited input from current and former members of the legislative ethics committee to find ways to improve and update the laws governing legislative ethics. Among many changes, the bill establishes a separate chapter regulating the acceptance

of gifts and honorariums by legislators and legislative staff. Currently, executive and legislative branch officials are all governed by RSA 15-B. The bill also broadens the definition of 'conflict of interest' to include personal as well as financial interests. In addition, it increases the value of a prohibited gift from something valued at less than $25 to something of value greater than $50. At the same time, the bill closes a current loophole that allows a person to give a legislator multiple gifts throughout the year as long as they have a value under $25 by establishing an aggregate limit of $250 per calendar year for multiple gifts from a single source. The committee believes that these and other changes in this bill will strengthen our legislative ethics laws, guidelines and procedures as well as eliminate some of the ambiguities contained in them. Vote 9-0.

HB 321, establishing a committee to study improvements to the Elizabeth Meader Hanson site in Dover. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia O'Brien Irwin for Public Works and Highways. The committee is not opposed to honoring New Hampshire women who have added to our rich history. However, there was a question over the ownership of the parcel where the monument is located. The committee received input from the department of transportation which showed that the land was not owned by the department. The department of resources and economic development can work with the city of Dover to study the issue of the monument if they so desire. Vote 17-0.

HB 460, establishing a commission to study revenue alternatives to the road toll for the funding the state's highways and bridges. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John R. Cloutier for Public Works and Highways. This bill, as amended, would establish a nine-member study commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's roads and bridges. The commission shall study alternatives to the road toll for electric-powered and hybrid vehicles, and may study other emerging vehicle fuels and technologies for funding road and bridge improvements, ensuring that all motor vehicles pay their fair share. The commission shall also track current road toll revenues, and, as it deems appropriate, analyze related programs developed in other states, and recommend legislation. Under the amended bill, the commission's recommendations must be filed by November 1, 2015. Vote 15-0.

Amendment (0575h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Commission to Study Revenue Alternatives to the Road Toll. Amend RSA 21-J by inserting after section 47 the following new subdivision:

Commission to Study Revenue Alternatives to the Road Toll

21-J:48 Commission to Study Revenue Alternatives to the Road Toll.

I. There is established a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.

II.(a) The members of the commission shall be as follows:

(1) Three members of the house of representatives, appointed by the speaker of the house of representatives, all of whom shall be members of the public works and highways committee.

(2) Two members of the senate, appointed by the president of the senate.

(3) The commissioner of the department of revenue administration, or designee.

(4) The commissioner of the department of safety, or designee.

(5) The commissioner of the department of environmental services, or designee.

(6) The commissioner of the department of transportation, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall study alternatives to the road toll for electric-powered and hybrid vehicles, and may study other emerging vehicle fuels and technologies, for funding improvements to the state's highways and bridges, ensuring that all motor vehicles contribute their fair share. The commission shall consider the interim report of the commission on the taxation of alternative fuel

and electric-powered motor vehicles of November 1, 2012, and the final report of the commission to study future sustainable revenue sources for funding improvements to state and municipal highways and bridges, dated November 1, 2010. The commission shall also track current road toll revenues and, as it deems appropriate, analyze related programs developed in other states and recommend legislation.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Three members of the commission shall constitute a quorum.

V. The commission shall submit a report of its findings and any proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

2 Repeal. RSA 21-J:48, relative to commission to study revenue alternatives to the road toll, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 2, 2015.

II. The remainder of this act shall take effect upon its passage.

HB 511, relative to funding of eligible infrastructure projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne H. Gottling for Resources, Recreation and Development. HB 511, as amended, establishes a study committee to explore the future of the state aid grants program administered by the department of environmental services (DES). Pursuant to RSA 486:1, RSA 486-A:3, and RSA 149-M:43, the state legislature has expressly authorized a grant program for municipalities to receive 20% to 30% assistance toward principal and interest payments on eligible environmental infrastructure projects (drinking water, wastewater, and landfill projects). Because these public works projects are usually driven by federal and state regulations, these entities have historically contributed their fair share of project costs. Since 1959, the State of New Hampshire has recognized the importance of water pollution control projects and provided financial aid to our towns and cities. The state aid program has granted more than $400,000,000 in aid to eligible projects to help offset the local cost of environmental infrastructure projects. The state has recognized that cities and towns by themselves cannot and should not bear all of the cost of compliance with federal and state regulations. Because of budgetary constraints in 2008, the state aid grant program was disrupted. Legislative action in 2013 resulted in resumption of payments to 127 infrastructure projects known as "delayed and deferred" projects. In 2013, the department of environmental services testified to the need for a redesign of the state aid grant program. HB 511, as amended, provides the vehicle for this action. HB 511 will examine all aspects of this important state-local partnership as well as the long-term fiscal commitment needed to support the infrastructure assets that are vital to our economy and environment. Vote 20-0.

Amendment (0576h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the funding of certain state aid grants.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the funding of state aid grants under RSA 486, RSA 486-A, and RSA 149-M.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives, 2 of whom shall be members of the resources, recreation and development committee, and one of whom shall be a member of the house finance committee.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the state aid programs under RSA 486, RSA 486-A, and RSA 149-M, with emphasis on the funding of these programs. The study shall include, but not be limited to:

(a) Determining whether the current thresholds for state aid are appropriate.
(b) Determining how to fund future state aid projects.
(c) Establishing clear criteria for when and which projects are eligible for state aid grants.
(d) Establishing clear criteria for prioritization of future state aid projects.
(e) Determining the best financing options available to fund future state aid projects.
(f) Any other matter the committee deems relevant.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study the funding of state aid grants under RSA 486, RSA 486-A, and RSA 149-M

HB 667-FN, relative to aquatic invasive species and authorizing a program to inspect boats for the presence of aquatic invasive species. **INEXPEDIENT TO LEGISLATE.**

Rep. John A. Mullen for Resources, Recreation and Development. This legislation sought to increase boat inspections for invasive species during water events through a permit process that included the promoter of such events inspecting all boats at the primary boat launch. While the committee realizes that invasive species are a constant threat to the health of our waters and it was felt that we should do what we can to control the spread of such species the practicality of the inspections and the administration of such was cumbersome and would not result in major reduction of incoming invasive species. DES supported the intent for prevention and inspection, but putting control in the hands of the marine patrol would overlap other agencies and be confusing and difficult to administer. NH lakes was in agreement that an increase in education by the NH Lakes Association members, DES, fish and game and the department of safety, the marine patrol, would be more productive in controlling invasive species. Vote 20-0.

HB 541-FN, relative to cellular mobile radio communications as public utilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurence M. Rappaport for Science, Technology and Energy. The committee believes that there is no way to make this bill work. It was opposed by the major carriers. Since they already compete in many markets, the committee felt that they did not need regulation and the committee couldn't imagine how they might be regulated should this bill pass. Vote 17-0.

HB 374, permitting certain vehicles to proceed through an intersection after stopping for a red light. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. The majority of the committee feels that it is far too dangerous to allow hard to see vehicles to proceed through intersections in this manner. Thirty-six percent of all accidents occur at intersections. The committee was also concerned about our traffic from tourism being unaware that this can occur. Vote 15-1.

HB 506, clarifying the conditions under which motor vehicle information may be used. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Werner D. Horn for Transportation. This bill, as amended, is a department of safety supported bill that will require motor vehicle information obtained from people who evade tolls to comply with privacy laws. The committee amendment adds clarifying language assigning the responsibility to the department of transportation and defines that responsibility for the department's third party contractors. Vote 16-0.

Amendment (0536h)

Amend RSA 260:14, III-a as inserted by section 4 of the bill by replacing it with the following:

III-a. [~~Except for a person's photograph, computerized image, and social security number, motor vehicle records~~] ***The name and last known address of the owner of a vehicle used in viola-***

tion of RSA 236:31-b and the physical characteristics of such vehicle may be made available to the department of transportation ***or to a non-governmental contracted agent of the department of transportation*** for [~~collection of a toll~~] ***toll collection purposes only*** as identified by a toll collection system, pursuant to RSA 236:31. Any records received under this paragraph shall not be ***used for purposes other than for toll collection and shall not be*** further transferred or otherwise made available to any other [~~non-governmental agency~~] ***person or entity*** that is not a [~~contracting~~] ***contracted*** agent of the department of transportation for toll collection. ***The nongovernmental contracted agent of the department of transportation for toll collection is prohibited from releasing the motor vehicle records to a third party or from using the records for the collection of debts outside the toll collection system. Notwithstanding the provisions of RSA 260:14, XIV, the department of transportation shall be responsible for ensuring its own and its contracted agent's compliance with this section, and the commissioner, upon determining that the department of transportation or its contracted agent has violated any provisions of this section, may, with or without a hearing, prohibit the department of transportation and its contracted agent from receiving motor vehicle records for a period of 5 years or until such time as he or she is satisfied that procedures are in place and will be enforced to ensure compliance with this chapter.***

Amend RSA 260:14, III-c as inserted by section 5 of the bill by replacing it with the following:

III-c. The name and last known address of the owner of a vehicle used in violation of a toll collection system and the physical characteristics of such vehicle may be made available to another state, or to a statutory or non-governmental contracted agent of such other state for the collection of a toll in such other state as identified by a toll collection system pursuant to RSA 236:31, I(i), whether the vehicle was used in violation of an electronic toll collection system or the vehicle was identified by a toll collection monitoring system when there is no cash option in the toll lanes. Any records received under this paragraph shall not be used for purposes other than for toll collection and shall not be further transferred or otherwise made available to a person or entity that is not a statutory or contracted agent of such other state for toll collection. The other state or statutory or nongovernmental contracted agent of such other state is prohibited from releasing the motor vehicle records to a third party or from using the records for the collection of debts outside the toll collection system. Notwithstanding the provisions of RSA 260:14, XIV, such other state shall be responsible for ensuring its own and its statutory or contracted agent's compliance with this section, and the commissioner, upon determining that such other state or its statutory or contracted agent has violated any provisions of this section may, with or without a hearing, prohibit such other state and its statutory or contracted agent from receiving motor vehicle records for period of 5 years or until such time as he or she is satisfied that procedures are in place and will be enforced to ensure compliance with this chapter.

HB 532, relative to commercial vessel insurance and eliminating the mooring appeals board. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce E. Hodgdon for Transportation. This bill is unclear on the insurance rules for commercial vessels. It also removes the mooring appeals board, which would not allow a complaint to be heard by a civilian board. Vote 16-0.

HB 542, relative to motor vehicle emission requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry G. Gagne for Transportation. This bill would exempt vehicles that are 10 or more years old and vehicles for which repairs are unsuccessful from emissions control requirements. This bill would jeopardize the state's compliance with the federal Clean Air Act. Because this bill would conflict with the CAA, the committee voted ITL on this bill. Vote 16-0.

HB 180, relative to the definition of "price or consideration" under the real estate transfer tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick F. Abrami for Ways and Means. This bill clarifies language in the real estate transfer tax definition in RSA 78-B:1-a in section IV by adding the words, in a contractual transfer, after "price or consideration." There were concerns from the hearings about situations related to transfers that occur by devise or by other testamentary disposition. An amendment was drafted to address these concerns. This amendment explicitly states that upon death, the heirs who inherit any real estate are not subject to the transfer tax. However, if one heir sells out to the other(s), that transfer would be subject to the transfer tax provision. At that point, even if the transfer between heirs is a gift, the value of the transfer will be at fair market value. Once the amendment was adopted, the committee voted unanimously in a bipartisan way. Vote 21-0.

Amendment (0113h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the definition of "price or consideration" under the real estate transfer tax and relative to the exception for transfers by devise under such tax.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Real Estate Transfer Tax; Exceptions. Amend RSA 78-B:2, XI to read as follows:

XI. To transfers that occur by devise ***or by other testamentary disposition,*** or by the laws regulating intestate succession and descent, or by the death of any cotenant in real estate held by joint tenancy***; regardless of any consideration paid or obligation assumed by the transferee.***

AMENDED ANALYSIS

This bill clarifies that the definition of "price or consideration" under the real estate transfer tax applies only to contractual transfers. The bill also excepts transfers by devise or other testamentary disposition, regardless of any consideration paid or obligation assumed by the transferee, from the real estate transfer tax.

HB 278, relative to town clerk fees for fill and dredge permit applications. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian S. Gallagher for Ways and Means. This proposed bill would authorize a fee for sending copies of fill and dredge permits to certain boards. The amount of revenue collected was determined to be of minor impact for town clerks. It was learned during testimony by the committee that this fee was previously removed by the legislature, as the applications were mailed out. Vote 21-0.

HB 462-FN, repealing an increase in the fuel oil discharge cleanup fund fee. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul J. Henle for Ways and Means. This fund is an insurance mechanism for businesses and homeowners against heating oil spills. It is impossible to get spill coverage in homeowner or business policies, with the exception of oil delivery employees' liability coverage. When the rare spill occurs, if not for rapid clean-up, neighboring homes and businesses also suffer. Affected businesses often must close. The fund has two functions: rapid clean-up and assistance to low-income owners of deteriorated tanks (SAFETANK). The latter costs $1500, and averts a spill whose clean-up averages $17,500. After all tanks are brought to code, the fund fee can be significantly reduced. In normal winters, the fund maintains an adequate balance for both functions. In the few easy winters, the fund comes close to the $2.5M balance over which the fee is suspended. In hard winters, the fund managers first suspend SAFETANK, and then delay clean-up of the least urgent spills, increasing their future cost. Cutting the current fee will jeopardize the fuel oil discharge cleanup project by delaying cleanups. Delaying cleanup will contaminate more soil, and seriously harm more businesses, municipal buildings, churches and homeowners. The fund is overseen by a commission of oil distributors, dealers and members of the public, and was given a strong positive report in a performance audit. Vote 19-0.

HB 588-FN-A-L, extending the Coos county job creation tax credit to Carroll county. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means. This bill simply extends the Coos County job creation tax credit (RSA 71-C:2) to Carroll County. The committee had three major concerns. First, this tax credit was explicitly voted in for Coos County only as a way to help this economically depressed region of our state. The concern is that if the legislature opens this up to Carroll County, other counties could want the same consideration in future years. Second, it was discussed that constitutional challenges have been prevented because the original Coos County bill was narrowly crafted and that opening this up to another county without opening it up to all counties could be problematic. Finally, there is no provision in the original law that caps the total amount of credits in a year that can be given and this bill does not recommend any caps either. There were concerns that, with an expansion of this bill, much needed general fund revenue would be lost with no upper bound. The committee voted ITL in a unanimous bipartisan fashion. Vote 21-0.

HB 599, relative to the economic revitalization zone tax credit program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick F. Abrami for Ways and Means. This bill changes eligibility requirements for the economic revitalization zones and requires each zone to be reevaluated every 5 years to determine if the zone still meets eligibility criteria. The bill specifies that only full time jobs are counted for purposes of calculating the business tax credits received by the zone. This bill also authorizes the commissioner of the department of resources and economic development (DRED) to establish rules for evaluating the effectiveness of the economic revitalization zone tax credit program. This bill was requested by DRED as enhancements to the existing economic revitalization zone program. The bill was amended by changing the term full-time job to full time equivalent job, providing a definition of full time equivalent. The amendment also added Brownfields to the list of reasons land or structures previously used for industrial, commercial, or retail purposes but currently are not so used. With this amendment the bill was voted in a unanimous bipartisan manner. Vote 21-0.

Amendment (0550h)

Amend RSA 162-N:2, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Vacant land or structures previously used for industrial, commercial, or retail purposes but currently not so used due to demolition, age, obsolescence, deterioration, ***Brownfields,*** relocation of the former occupant's operations, or cessation of operation resulting from unfavorable economic conditions either generally or in a specific economic sector.

Amend RSA 162-N:4, I(a) as inserted by section 4 of the bill by replacing it with the following:

(a) Quality and quantity of ***full-time equivalent*** jobs to be created.

Amend RSA 162-N:6, II as inserted by section 5 of the bill by replacing it with the following:

II. The sum of the following:

(a) 4 percent of the salary for each new ***full-time equivalent*** job created in the calendar year with a wage less than or equal to 1.75 times the then current state minimum wage.

(b) 5 percent of the salary for each new ***full-time equivalent*** job created in the calendar year with a wage greater than 1.75 times the then current state minimum wage and less than or equal to 2.5 times the then current state minimum wage.

(c) 6 percent of the salary for each new ***full-time equivalent*** job created in the calendar year with a wage greater than 2.5 times the then current state minimum wage.

(d) 4 percent of the lesser of the following:

(1) The actual cost incurred in the calendar year of creating a new facility or renovating an existing facility, and expenditures for machinery, equipment, or other materials, except inventory.

(2) $20,000 for each new ***full-time equivalent*** job created in the calendar year.

Amend the bill by inserting after section 7 the following and renumbering the original section 8 to read as 9:

8 Definitions. Amend RSA 162-N:1 to read as follows:

162-N:1 Definition. In this chapter[;]:

I. "Economic revitalization zone" means a zone designated by the commissioner of resources and economic development as an economic revitalization zone in accordance with the provisions of this chapter.

II. "Full-time equivalent" means the sum of all hours paid annually divided by 2,080.

AMENDED ANALYSIS

This bill changes eligibility requirements for economic revitalization zones and requires each zone to be reevaluated every 5 years to determine if the zone still meets eligibility criteria. The bill specifies that only full-time equivalent jobs are counted for purposes of calculating the business tax credits received by the zone. The bill also authorizes the commissioner of the department of resources and economic development to establish rules for evaluating the effectiveness of an economic revitalization zone tax credit program

HB 622-FN-A, relative to taxation of the taxable estates of decedents. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian S. Gallagher for Ways and Means. This proposal establishes a rate of the New Hampshire estate tax of eight (8) percent upon the gross value of the additional portion of a decedent's taxable estate which would exceed $2,000,000. Testimony emphasized that enactment of this bill would

create doubt and send a negative message to individual and business trust and financial services. Moving forward with this type of legislation would create an environment more difficult to attract new business into New Hampshire. Vote 21-0.

HB 664-FN, consolidating existing oil pollution funds. **OUGHT TO PASS WITH AMENDMENT.** Rep. Bill H. Ohm for Ways and Means. This bill, prepared at the request of the department of environmental services and the oil fund disbursement board, consolidates six existing oil and gasoline pollution funds into two funds, one administered by DES and the other by the oil disbursement board. This action will improve the ability of the agencies to allocate funds to the highest priority projects. Existing fees would not change, but would be better utilized. Vote 21-0.

Amendment (0491h)

Amend RSA 146-A:11-b, II as inserted by section 4 of the bill by replacing it with the following:

II. Any person who imports or causes to be imported oil into the state, except those using oil pipelines, railroads, and highways to transport oil products between states other than New Hampshire or for international transport of oil products, shall be licensed by the department of safety under this chapter. The annual fee for the license shall be ***$0.01625 per gallon of on-road and off-road gasoline and diesel fuel, $0.01375 per gallon of fuel oil, diesel products, and used oil for on-premise heating, $0.04125 per gallon of motor oil and*** $.00125 per gallon of ***all other*** oil imported into this state. The fee shall be paid monthly by such person to the department of safety. The department of safety shall deposit the first [~~$100,000~~] ***$125,000*** of fees paid in each fiscal year into the general fund. The remainder shall be deposited into the oil pollution control fund [~~administered~~] ***established under RSA 146-A:11-a, and the oil discharge and disposal cleanup established under RSA 146-D:3, I, based on an allocation determined for each fiscal year*** by the department of environmental services ***and the oil fund disbursement board***. Imposition of the fee shall be based on the record of the person and certified as accurate to the department of safety.

Amend RSA 146-A:11-b, II as inserted by section 5 of the bill by replacing it with the following:

II. Any person who imports or causes to be imported oil into the state, except those using oil pipelines, railroads, and highways to transport oil products between states other than New Hampshire or for international transport of oil products, shall be licensed by the department of safety under this chapter. The annual fee for the license shall be [~~$0.01625 per gallon of on-road and off-road gasoline and diesel fuel, $0.01375 per gallon of fuel oil, diesel products, and used oil for on-premise heating, $0.04125 per gallon of motor oil and~~] $.00125 per gallon of [~~all other~~] oil imported into this state. The fee shall be paid monthly by such person to the department of safety. The department of safety shall deposit the first $125,000 of fees paid in each fiscal year into the general fund. The remainder shall be deposited into the oil pollution control fund ***administered*** [~~established under RSA 146-A:11-a, and the oil discharge and disposal cleanup established under RSA 146-D:3, I, based on an allocation determined for each fiscal year~~] by the department of environmental services [~~and the oil fund disbursement board.~~] Imposition of the fee shall be based on the record of the person and certified as accurate to the department of safety.

HB 680-FN-L, relative to establishing the rate for and the collection of the education property tax and establishing a homestead exemption from the education property tax. **INEXPEDIENT TO LEGISLATE.** Rep. Patrick F. Abrami for Ways and Means. This bill establishes the rate of the statewide education tax at $8 per 1,000 of the value of taxable property and transfers the authority to collect the educational property tax from the municipalities to the department of revenue administration (DRA). This bill establishes a homestead exception from the education property tax for the first $250,000 of assessed value of homestead property. The bill also requires an annual transfer of $150,000,000 from the education trust fund to the general fund. This bill was voted ITL in a nearly unanimous and very bipartisan vote. On a philosophical basis the aim of this bill is to shift the state property tax burden for education funding from those with less expensive homes to those with more expensive homes. There are those on the committee who believe that there is a certain amount of progressiveness in the education property tax already and all this would do is increase this progressiveness to a point of unreasonableness. On a practical level, the DRA indicated the shifting of the requirement for them to administer and collect this tax, would require much resource and thus cost to the state. They added that an added burden would also be realized by the municipalities, indicating that their data bases are not strong or robust enough to meet the demands of this most fundamental change in approach to collecting the education statewide property tax. Vote 20-1.

REGULAR CALENDAR

HB 426, relative to the prohibition on the use of mobile electronic devices while driving. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Werner D. Horn for the Majority of Transportation. This bill seeks to limit the scope of RSA 265:79-c, a law taking effect July 1, 2015, to persons less than 18 years of age, prohibiting the use of a mobile electronic device while operating a motor vehicle. Testimony given by the NH state police indicates that there is not sufficient training that allows persons of any age to safely operate motor vehicles while simultaneously operating a mobile electronic device. Keeping RSA 265:79-c whole solidifies the commitment to keeping NH's families whole to the best of our ability. Vote 13-3.

Rep. Chris True for the Minority of Transportation. The minority of the committee feels since we trust people to show reasonable responsibility in seat belt and helmet use, this bill should pass. Statistics from other states do not show an increase in safety or a decrease in accidents with a ban on mobile electronic devices. Passing a law to fine cell phone use will cause people to hide their phones in their lap, causing even more driver distractions. Personal responsibility is the New Hampshire way.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. True spoke against.

Rep. Horn spoke in favor and yielded to questions.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

YEAS 214 - NAYS 136

YEAS - 214

BELKNAP

Dumais, Russell	Fields, Dennis	Gallagher, Brian	Hurt, George
Luther, Robert	Tilton, Franklin	Varney, Peter	

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Duane	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Brown, Pamela
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Forest, Armand	Freitas, Mary	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Gould, Linda	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher

Hinch, Richard
Infantine, William
Jack, Martin
Kurk, Neal
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McNamara, Richard
O'Brien, Michael
O'Neil, William
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kotowski, Frank
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Nigrello, Robert
Packard, Sherman
Pantelakos, Laura
Potucek, John
Rice, Frederick
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Welch, David
Weyler, Kenneth

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 136

BELKNAP

Aldrich, Glen
Comtois, Guy
Fisher, Robert
Fraser, Valerie
Howard, Jr., Raymond
LeBreche, Shari
Sylvia, Michael
Vadney, Herbert

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

Emerson, Susan
Hunt, John
McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Bailey, Brad	Hull, Robert	Johnson, Eric	Shackett, Jeffrey

HILLSBOROUGH

Balcom, John	Belanger, James	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christiansen, Lars	Christie, Rick
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Goulette, William
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Lachance, Joseph	LeBrun, Donald	Leishman, Peter	Marston, Dick
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Schleien, Eric	Scontsas, Lisa	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Stepanek, Stephen	Sullivan, Victoria	Takesian, Charlene
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
Schuett, Dianne	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Chirichiello, Brian	Cook, Allen	Duarte, Joe	Ferrante, Beverly
Friel, William	Gannon, William	Gordon, Richard	Guthrie, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Kolodziej, Walter	McMahon, Charles	Milz, David
O'Connor, John	Prudhomme-O'Brien, Katherine	Schroadter, Adam	Spillane, James
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Woitkun, Steven	Wood, David		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Mullen, John	Pitre, Joseph	Spang, Judith
Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Rollins, Skip

and the majority committee report was adopted.

MOTION TO LAY ON THE TABLE

Rep. Tamburello moved that **HB 426,** relative to the prohibition on the use of mobile electronic devices while driving, be laid on the table.

On a division vote, 133 members having voted in the affirmative and 220 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 469, relative to highway surveillance. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for Transportation. This bill would define surveillance determining ownership or location of a motor vehicle or its occupants. However, your cell phone or camera however used, could come under the jurisdiction of this bill. Several other questions arose on the use of transponders on trucks or rental vehicles which could also be compromised by this bill. The committee felt there were too many questions to support this bill. Vote 14-2.

Committee report adopted.

HB 485, relative to license restoration fees. **INEXPEDIENT TO LEGISLATE.** Rep. Werner D. Horn for Transportation. This bill addresses fees for government services, specifically the restoration of a driver's license when suspended or revoked for medical reasons. There is no additional process to restore a license revoked or suspended for a criminal offense or for medical reasons. Since the same work is required, this necessitates the same fee. Vote 9-7.

Reps. Leeman and True spoke against.

Reps. Horn and Steven Smith spoke in favor.

On a division vote, 182 members having voted in the affirmative and 172 in the negative, the committee report was adopted.

HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale. **OUGHT TO PASS WITH AMENDMENT.** Rep. Thomas C. Walsh for Transportation. This bill, as amended, allows the director of motor vehicles to approve additional forms to prove ownership of new and used vehicles. It also defines how dealership management companies (multiple dealerships under the same ownership) can use dealer plates. This is supported by the department of safety and the NH auto dealers association. This is good for both business and the consumer. Vote 16-0.

Amendment (0479h)

Amend the bill by replacing all after the enacting clause with the following:

1 Certificate of Origin. Amend RSA 261:13 to read as follows:

261:13 Certificate of Origin. When a new vehicle is delivered in this state by the manufacturer to [~~his~~] ***its*** agent or [~~his~~] franchised dealer, the manufacturer shall execute and deliver to [~~his~~] ***the*** agent or [~~his~~] franchised dealer a certificate of origin in the form prescribed by the director, and no person shall bring into this state any new vehicle unless he ***or she*** has in his ***or her*** possession the certificate of origin as prescribed by the director. The certificate of origin shall contain the vehicle identification number of the motor vehicle, the name of the manufacturer, model year, year of manufacture, number of cylinders, a general description of the body, if any, and the type of model. When a new vehicle is sold in this state, the manufacturer, [~~his~~] agent, or [~~his~~] franchised dealer shall execute and deliver to the purchaser, in case of an absolute sale, assignment of the certificate of origin, ***or a copy of the certificate of origin pending the original and an acceptable form proving assignment approved by the director***, or, if other than absolute sale, assignment of the certificate of origin subject to contract, signed or executed by the manufacturer, [~~his~~] agent, or [~~his~~] dealer, with the genuine names and business or residence addresses of both stated thereon, and certified to have been executed with full knowledge of the contents and with the consent of both purchaser and seller. No manufacturer, distributor, or manufacturer's authorized agent shall issue any duplicate, supplemental, or replacement certificate of origin unless the legend "duplicate" is placed on said certificate and the director is notified in writing of the circumstances under which said certificate was issued. A dealer registered under the provisions of RSA 261 who makes a courtesy delivery shall prepare the title application and supporting documents, but said delivery shall not be construed as a sale by the New Hampshire dealer.

2 Resale by a Dealer. Amend RSA 261:15 to read as follows:

261:15 Resale by a Dealer. If a dealer buys a vehicle and holds it for resale and procures the certificate of title from the owner or the lienholder within 10 days after delivery [~~to him~~] of the vehicle, [~~he~~] ***the dealer*** need not send the certificate to the department but, upon transferring the vehicle to another person other than by the creation of a security interest, shall promptly execute the assignment and warranty of title by a dealer, ***or if the title is held by a finance source show a copy of the title pending the original, and execute an acceptable form approved by the director proving assignment,*** showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale and the date of [~~his~~] ***the*** security agreement, in the spaces provided therefor on the certificate or as the director prescribes, and mail or deliver the certificate to the department with the transferee's application for a new certificate.

3 Use of Dealer Registration. Amend RSA 261:111, III to read as follows:

III. The dealer's employees who are employed full-time in the retail motor vehicle business may be issued a dealer plate on motor vehicles owned by the dealer, at the dealer's discretion, for personal use outside of normal business hours ***and no person other than such employees shall operate such motor vehicles***. For purposes of this paragraph, [~~only~~] the dealer's employees ***shall include employees of a dealership management company solely engaged in the day-to-day busi-***

ness operations of the dealership [~~and no other person shall operate such motor vehicles~~]. Personal use shall require that the motor vehicle be in saleable condition, with all legally required window stickers as appropriate, in view to the general public.

4 Effective Date. This act shall take effect 60 days after its passage.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 584-FN, making various changes to laws relating to motor vehicles and vessels. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Walsh for Transportation. This bill contains a variety of legislative fixes requested by the department of safety. This housekeeping bill addresses technical changes, not policy changes. The committee amendment adds a provision to refund fees to plate holders when the plate is rescinded for rules violations. Vote 12-4.

Amendment (0686h)

Amend RSA 72-A:10 as inserted by section 1 of the bill by replacing it with the following:

72-A:10 Refund. Once paid, no part of [~~any~~] ***the*** boat fee shall be refunded.

Amend RSA 270-E:5, IV as inserted by section 2 of the bill by replacing it with the following:

IV. The department may issue refunds ***of the state portion of the registration fee*** to registrants in cases where a registrant has inadvertently registered the same vessel twice within the same registration period or has overpaid a registration fee ***or if there is evidence the decals and registration have not been used. Such request shall be submitted within 90 days from the date of registration.***

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 13:

11 Vanity Plate Processing; Refunds; Credits. Amend RSA 261:89 to read as follows:

261:89 Vanity Number Plates. The director is hereby authorized to design and to issue, under such rules as the director deems appropriate, vanity number plates to be used on motor vehicles in lieu of other number plates. Such number plates shall be of such design and shall bear such letters or letters and numbers as the director shall prescribe, but there shall be no duplication of identification. Such number plates or a changeable designation of the effective period thereof, as the director shall determine, shall be issued only upon application therefor and upon payment of a special vanity plate service fee of $40, said special fee to be in addition to the regular motor vehicle registration fee and any other number plate manufacturing fee otherwise required by law for the particular vehicle. Plates shall be renewed on an annual basis for $40 per set. All special fees collected under this section shall be paid to the state treasurer and distributed as provided by RSA 263:52. ***Upon rejection of an application for vanity number plates, the director shall refund or credit the collected special vanity plate service fee. The director shall recall any vanity number plates that have been issued which do not conform to applicable law and rules, regardless of when the plates were issued. Any person whose application for vanity number plates has been rejected or whose vanity number plates have been recalled shall be issued a number plate of the same classification as the plate that had been requested or recalled. The prorated by month portion of the special vanity plate service fee shall be refunded or credited to the person whose vanity number plates have been recalled.***

12 Deposits Into Driver Training Fund. Amend RSA 263:52, I to read as follows:

I. The proceeds from original license fees as provided in RSA 263:42 and the vanity plate service fee collected in accordance with RSA 261:89, plus the fee for the renewal of the use of such plates, after ***any refunding authorized by law and*** costs of such plates or designation of effective periods thereof and issuance of same have been appropriated and deducted, shall be expended for course materials, licensing of schools, and certification of instructors in connection with safe motor vehicle driving conducted in or under the supervision of secondary schools. Such balance shall be kept in a separate fund. The commissioner of safety shall adopt, pursuant to RSA 541-A, and publish, rules governing the courses of instruction and training.

AMENDED ANALYSIS

This bill:

I. Allows for refunds of vessel registration under certain conditions.

II. Defines "maintained for use" in regards to antique motor vehicles and motorcycles.

III. Requires driver's license holders and vehicle owners to notify the department of safety of a change of mailing address.

IV. Removes the requirement to list the driver license applicant's blood type.

V. Makes changes to proof required by the department of safety for walking disability placards.

VI. Allows for refunds or credits from the processing of vanity number plate applications.

VII. Deposits vanity plate service fee proceeds into the driver training fund minus authorized refunds.

VIII. Authorizes the recall of improperly issued vanity number plates.

IX. Changes the department of safety's rulemaking authority for setting fees for motorcycle rider education.

This bill is a request of the department of safety.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 169, relative to table stakes poker. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Azarian for Ways and Means. The majority of the committee, after serious consideration, agreed that the current law in regards to this issue was reasonable and equitable and found no beneficial cause to amend standing law. Vote 14-5.

Rep. Williams spoke against.

Rep. Azarian spoke in favor.

On a division vote, 157 members having voted in the affirmative and 204 in the negative, the committee report failed.

Rep. Williams moved Ought to Pass.

Motion adopted and ordered to third reading.

HB 439, relative to religious societies. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L. Nigrello for Ways and Means. The majority of the committee agrees that the current law protects the public from religious organizations that have not registered as a charitable organization. Religious organizations can incorporate as a charitable organization; as such the donation restrictions are removed. Vote 18-1

Committee report adopted.

HB 445, defining poker as a game of skill. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means. The committee was asked to make a judgment as to whether poker is a game of skill and thus not be considered gambling. We agree that a good poker player is skilled at reading the body language of other players, but at its core it is still a game of chance because the cards you are dealt are still random. Even if it were purely a game of skill, the committee feels that this is still a form of gambling that needs to be regulated to prevent high stakes games from being played at any location in the state without oversight. Vote 17-2.

Rep. Ammon spoke against and yielded to questions.

Rep. Abrami spoke in favor.

Rep. Spillane spoke against and requested a roll call; sufficiently seconded.

YEAS 217 - NAYS 150

YEAS - 217

BELKNAP

Gallagher, Brian	Hurt, George	Luther, Robert	Spanos, Peter
Tilton, Franklin	Varney, Peter		

CARROLL

Butler, Edward	Chandler, Gene	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Froburg, Alethea
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Booras, Efstathia
Brown, Pamela
Christensen, Chris
Cohen, Alan
Cornell, Patricia
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Griffin, Barbara
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Christie, Andrew
Cook, Allen
Cushing, Robert
Devine, James
Doucette, Fred
Elliott, Robert
Fesh, Robert
Francese, Paula
Gordon, Pamela
Gordon, Richard
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Treleaven, Susan
Turcotte, Leonard
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 150

BELKNAP

Aldrich, Glen
Comtois, Guy
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Howard, Jr., Raymond
LeBreche, Shari
Sylvia, Michael
Vadney, Herbert

CARROLL

Avellani, Lino
Buco, Thomas
Comeau, Ed
Cordelli, Glenn
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Massimilla, Linda
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christiansen, Lars
Christie, Rick
Cote, David
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gould, Linda
Goulette, William
Guerette, C. Lee
Halstead, Carolyn
Hogan, Edith
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Russell
Ohm, Bill
Parison, James
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Sullivan, Daniel
Sullivan, Victoria
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abramson, Max
Allen, Mary
Baldasaro, Alfred
Bates, David
Belanger, Ronald
Chase, Francis
Chirichiello, Brian
DeSimone, Debra
DiFranco, Debbie
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Friel, William
Gannon, William
Griffin, Mary
Harris, Jeffrey
Hodgdon, Bruce
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Pantelakos, Laura
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Cilley, Jacalyn
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Mullen, John	Pitre, Joseph	Sprague, Dale
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Converse, Larry	Rollins, Skip

and the committee report was adopted.

HB 547, reestablishing the exemption from property taxation for telecommunications poles and conduits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for the Majority of Ways and Means. The original bill called for reestablishing the exemption from property taxation for telecommunication poles and conduits. This exemption was repealed by the legislature effective July 1, 2010. Prior to its repeal many warned about lawsuits related to this issue between the telecommunication companies and municipalities. That has now become reality with numerous lawsuits pending throughout the state on this issue. It was clear from the testimony that the telecommunications companies were willing to compromise and agreed to the tax, as long as the issue of pole and conduit valuations was addressed. It was clear from testimony that a methodology for valuations was needed. Committee testimony showed pole values vary greatly from municipality to municipality. An amendment was filed that replaces the whole bill that provides such a methodology. The amendment states that the value should be equal to, "the direct replacement cost of the pole and/or the conduit, defined as the actual cost of the pole or conduit including the labor cost of installation less depreciation calculated on a straight-line basis for a period of 30 years with a residual value of no less that 20 percent." This language is close to the approach utilized by many assessors, but provides guidance to all municipal assessors that direct replacement cost should be utilized, that the cost includes installation which is a cost well established by the telecommunications industry, that the depreciation is straight-line for 30 years, and the language acknowledges that even the oldest of poles and conduits have a residual value and establishes a floor under that value. We heard testimony that the courts will fix this problem and establish these kinds of parameters. We should not have the courts fix a legislative problem. The legislature should fix the problem as this amendment does. It should be noted that poles and conduits owned by the electric companies can accept the assessed value derived by the department of revenue administration (DRA) or the town assessed value. The electric industry is highly regulated and all their properties are valued by the DRA. Their rates are set for them and are based on all costs of doing business including property taxes. The telecommunications industry is in a truly competitive environment and ever evolving race against technological advances that place extreme competitive pressures on them. This is why they are fighting for at least a level playing field, town to town and city to city. A majority of the committee agreed and voted the amendment and bill OTP/A that the legislature should take the lead in fixing this issue by stating its intent when defining parameters for assessing poles and conduits. Vote 14-7.

Rep. Susan W. Almy for the Minority of Ways and Means. The original bill is an attempt by the deregulated telephone companies to restore an exemption of their poles from property tax enjoyed during the era of regulation. The amendment is the companies' offer to end about 170 company lawsuits against varying municipal valuations, now consolidated into one in Concord district court and headed toward resolution. The towns and cities prefer to let the court decide the issue. The committee had only a few hours to consider it, and no time for municipal feedback on the final amendment. It is clear from testimony that about two thirds of most towns' poles are older than 30 years and would be assessed under the amended bill at 20% of replacement value. Municipalities depreciate down to 15-25% of value, but we do not know how long their depreciation schedule is - whether based on 30, 50 or more years; 30 years is the amendment's choice, but 50 years is quite reasonable given the average length of service of a pole. If they use 50 and the law says 30, most municipalities will lose considerable property tax. The bill's supporters cited extreme variation in municipal value per pole, but we learned that the most extreme example of $2400 in Lempster was due to very-high-capacity poles installed for the new wind farm. Finally, the amended bill creates a constitutional issue in that the towns and cities are required to assess telephone poles (with electric wires attached) in a way different from the way they have for decades assessed electric poles (with telephone wires attached). An advisory opinion should be sought from the supreme court.

Majority Amendment (0643h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the valuation of poles and conduits owned by telephone utilities.

Amend the bill by replacing all after the enacting clause with the following:

1 Reference Change. Amend RSA 72:8-a to read as follows:

72:8-a Telecommunications Poles and Conduits. [~~Except as provided in RSA 72:8-b,~~] All structures, poles, towers, and conduits employed in the transmission of telecommunication, cable, or commercial mobile radio services shall be taxed as real estate in the town in which such property or any part of it is situated. ***Except as provided in RSA 72:8-c,*** the valuation of such property shall be based on its value as real estate. Other devices and equipment, including wires, fiber optics, and switching equipment employed in the transmission of telecommunication, cable, or commercial mobile radio services shall not be taxable as real estate.

2 New Section; Property Taxation; Valuation of Poles and Conduits Owned by Telephone Utilities. Amend RSA 72 by inserting after section 8-b the following new section:

72:8-c Valuation of Poles and Conduits Owned by Telephone Utilities. The value of poles or conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities, as defined in RSA 362:7, or providers of Voice over Internet Protocol ("VoIP") service or IP-enabled service, each as defined in RSA 362:7, for purposes of tax assessment against said entity shall be determined by the following formula: the direct replacement cost of the pole or conduit, defined as the actual cost of the pole or conduit including the labor cost of installation less depreciation calculated on a straight-line basis for a period of 30 years with a residual value of no less than 20 percent.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes the valuation for purposes of the property tax assessment of poles or conduits employed in the transmission of telecommunication owned in whole or in part by telephone utilities.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Abrami spoke in favor.

Rep. Almy spoke against and yielded to questions.

Rep. Lovejoy spoke in favor and yielded to questions.

Rep. Spanos requested a roll call; sufficiently seconded.

YEAS 205 - NAYS 162

YEAS - 205

BELKNAP

Aldrich, Glen	Comtois, Guy	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Sylvia, Michael	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan
Wright, Ted			

CHESHIRE

Bordenet, John	Eaton, Daniel	Emerson, Susan	Hunt, John

COOS

Fothergill, John	Froburg, Alethea	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Tholl, John		

GRAFTON

Brown, Chris	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Johnson, Eric			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Brown, Pamela	Burt, John	Christensen, Chris	Christie, Rick
Cohen, Alan	Cote, David	Danielson, David	Donovan, Daniel
Edelblut, Frank	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gould, Linda	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Heath, Mary	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Parison, James
Pellegrino, Anthony	Peterson, Ken	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Simmons, Tammy	Smith, Timothy	Snow, Kendall
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Vann, Ivy	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Bartlett, Christy	Brewster, Michael	Deloge, Helen	Hill, Gregory
Hoell, J.R.	Kotowski, Frank	Long, Douglas	MacKay, James
Marple, Richard	McGuire, Carol	McGuire, Dan	Parent, Jason
Wheeler, Deborah			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Belanger, Ronald	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Friel, William	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Lovejoy, Patricia
Lundgren, David	Major, Norman	Manning, John	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
Packard, Sherman	Pantelakos, Laura	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Sanders, Elisabeth	Schroadter, Adam	Spillane, James
Tamburello, Daniel	Tasker, Kyle	True, Chris	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Wood, David			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cilley, Jacalyn	DiSesa, Len
Gardner, Janice	Gray, James	Groen, Warren	Hannon, Joseph
Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas	Kaen, Naida
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Smith, Marjorie	Spang, Judith	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Laware, Thomas	Rollins, Skip	Smith, Steven

NAYS - 162

BELKNAP

Dumais, Russell	Luther, Robert	Spanos, Peter	Tilton, Franklin
Vadney, Herbert			

CARROLL

Buco, Thomas
Butler, Edward
Comeau, Ed
Crawford, Karel
Parker, Harold
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Chase, Cynthia
Ley, Douglas
McConnell, Jim
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Duane
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Byron, Frank
Christiansen, Lars
Cornell, Patricia
DiSilvestro, Linda
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Forest, Armand
Freitas, Mary
Gorman, Mary
Goulette, William
Griffin, Barbara
Hansberry, Daniel
Harvey, Suzanne
Herbert, Christopher
Jack, Martin
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McClarren, Donald
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Palmer, Barry
Pierce, David
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Twombly, Timothy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bradley, Paula
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kuch, Bill
Martin, John
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane

ROCKINGHAM

Barnes, Arthur
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
McBeath, Rebecca
O'Connor, John
Sherman, Thomas
Simpson, Alexis
Sytek, John
Thomas, Douglas
Tucker, Pamela
Ward, Gerald
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and the majority committee report was adopted and ordered to third reading.
Reps. DiSesa and Porter voted Yea and intended to vote Nay.

HB 551-FN, relative to preventing diversion of business income to tax havens. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Jordan G. Ulery for the Majority of Ways and Means. This bill would fundamentally change the manner New Hampshire collects taxes on businesses in the state that are organized overseas. While the analysis suggests an undeterminable increase in revenue, there is a corresponding large increase in administrative costs by the DRA and a biannual review of foreign nations to determine which nations are or are not tax havens, a difficult to understand definition. The biannual review may involve declaring the property of our largest trading partner, Canada, in the name of its Queen, the islands of Jersey and Guernsey. New Hampshire already has too high tax on the entities that give our neighbors jobs. Do we really want to make the granite state even more unfriendly to business? Vote 13-8.
Rep. Richard Ames for the Minority of Ways and Means. Large multi-national corporations have developed elaborate schemes to avoid taxation by hiding profits in subsidiary corporations based in overseas tax haven jurisdictions. As currently structured, our business profits tax is unable to reach and tax NH's fair share of these profits, even though the profits are attributable to NH-based business activity. Smaller NH-based businesses are unable to engage in these international profit-shifting schemes and therefor bear a greater tax burden than the big multi-national corporations. HB 551, following the lead of Montana and Oregon, would amend our business profits tax so as to pierce this overseas corporate veil and close this unfair tax loophole. The bill identifies by name the overseas jurisdictions that are currently known to serve as tax havens. The bill includes a tax haven definition and a process to enable the periodic updating of the tax haven list. Profits realized by business organizations incorporated in these tax haven jurisdictions, unlike all other overseas corporations that are beyond the so-called "water's edge," are then brought back into the NH business profits tax apportionment formula. This system has been in effect to good effect in Montana for about a decade and in Oregon since 2013. The governor's budget estimated that this change in law in NH would produce $3.5M in FY 2016 and $8.0M in FY 2017.

MOTION TO SPECIAL ORDER

Rep. Major moved that **HB 551-FN,** relative to preventing diversion of business income to tax havens, be made a Special Order to the end of the Regular Calendar.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 643-FN, relative to recovery of certain lottery winnings. **INEXPEDIENT TO LEGISLATE.**
Rep. Norman L. Major for Ways and Means. This bill would allow HHS to recover public assistance benefits from lottery winners. The recovery would be limited to state benefits only and not exceed half of the prize. During the past year the lottery commission reported 23 winners of $40,000 or more and many winners with winnings of less than a few thousand dollars. While NH has a recovery system for child support, a different system is needed to track public assistance beneficiaries. The committee concluded that the difficulty and expense of such a collection system outweighs the potential benefits. Vote 19-2.
Committee report adopted.

HB 655-FN, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Patricia T. Lovejoy for the Majority of Ways and Means. This bill provides for a $10 million annual credit to the motion picture industry for production expenses incurred in NH and qualified non-NH expenses. The tax credits may be transferred, sold or assigned to other taxpayers with tax liabilities. This issue was extensively studied by this committee last term. Most states that have instituted film credits have income and sales tax that allow the state to recoup a significant portion of the credit through collection of sales and income tax on the activities that take place in their state. The majority of the committee believes that the state should not be singling out one industry for preferential treatment. Vote 11-10.

Rep. Bill H. Ohm for the Minority of Ways and Means. Committee testimony indicated that all of our neighboring states have such a tax credit and attract this type of business. NH has none and gets none. Testimony was heard from a number of actors who live here, but cannot work here, for lack of business and must commute to neighboring states. The minority feels that this proposed tax credit is similar to the existing R&D tax credit, namely a criteria on a checklist that keeps NH in the running for new business. The bill is structured such that there is no financial exposure unless new business is brought into NH, and the bill sunsets in 4 years. The committee was concerned that other terms of the bill were unfavorable to NH. The minority will be offering a floor amendment that would make the bill revenue neutral by cutting back the size of tax credit to match the projected room and meals tax that would be generated by the new business and to apply only to a NH business. Please oppose ITL so that an amendment can be introduced.

LAID ON THE TABLE

Rep. Ohm moved that **HB 655-FN,** establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire, be laid on the table.
On a division vote, 329 members having voted in the affirmative and 39 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 673-FN-A, establishing a sales and use tax. **INEXPEDIENT TO LEGISLATE.**
Rep. Don E. Leeman for Ways and Means. The sales tax has long been considered to be the most regressive of all taxes. Furthermore, the residents of NH have never supported the imposition of a sales tax in any amount. Finally, the imposition of a sales tax would result in the loss of many jobs, possibly numbering in the thousands. It could also result in the closing of many businesses, especially in the communities near the border of NH and our neighboring states. Vote 19-2.
Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 355 - NAYS 13

YEAS - 355

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	Wright, Ted	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	McConnell, Jim	Parkhurst, Henry	Pearson, William
Robertson, Timothy	Sad, Tara	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia

Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Barry, Richard	Beaulieu, Jane	Belanger, James	Biggie, Barbara
Boehm, Ralph	Booras, Efstathia	Bouldin, Amanda	Brown, Pamela
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Freitas, Mary	Fromuth, Bart	Gagne, Larry
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Gould, Linda	Goulette, William	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Jack, Martin
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
McNamara, Richard	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, Michael	O'Brien, William	O'Neil, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Rice, Kimberly	Rokas, Ted
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Scontsas, Lisa	Seidel, Carl	Shaw, Barbara
Simmons, Tammy	Smith, Gregory	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Daniel	Sullivan, Victoria	Takesian, Charlene	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David
Zaricki, Nick			

MERRIMACK

Alicea, Caroletta	Bradley, Paula	Brewster, Michael	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	French, Harold	Gile, Mary	Henle, Paul
Hess, David	Hill, Gregory	Hirsch, Geoffrey	Hoell, J.R.
Horn, Werner	Karrick, David	Kenison, Linda	Kidder, David
Kotowski, Frank	Kuch, Bill	Long, Douglas	MacKay, James
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Moffett, Howard	Myler, Mel	Parent, Jason	Patten, Dick
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Berrien, Skip	Borden, David	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	Cushing, Robert
DeSimone, Debra	Devine, James	DiFranco, Debbie	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Friel, William	Gannon, William
Gordon, Pamela	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis

Kellogg, Shem
Major, Norman
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Tamburello, Daniel
Tucker, Pamela
Webb, James
Wood, David
Kolodziej, Walter
Manning, John
McMahon, Charles
Packard, Sherman
Rice, Frederick
Simpson, Alexis
Tasker, Kyle
Vose, Michael
Welch, David
Lovejoy, Patricia
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Sanders, Elisabeth
Spillane, James
Thomas, Douglas
Ward, Gerald
Weyler, Kenneth
Lundgren, David
McBeath, Rebecca
Nigrello, Robert
Potucek, John
Schroadter, Adam
Sytek, John
True, Chris
Ward, Joanne
Woitkun, Steven

STRAFFORD

Baber, William
Bixby, Peter
DiSesa, Len
Hannon, Joseph
Knowles, Robert
Rollo, Deanna
Spang, Judith
Turcotte, Leonard
Whitehouse, Joshua
Beaudoin, Steven
Burton, Wayne
Gardner, Janice
Horrigan, Timothy
Leeman, Don
Schmidt, Peter
Sprague, Dale
Verschueren, James
Wuelper, Kurt
Berube, Roger
Cheney, Catherine
Gray, James
Jones, Laura
Mullen, John
Smith, Marjorie
Stevens, Audrey
Wall, Janet
Bickford, David
Cilley, Jacalyn
Groen, Warren
Kaczynski, Jr., Thomas
Pitre, Joseph
Southworth, Thomas
Treleaven, Susan
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
O'Hearne, Andrew
Smith, Steven
Cloutier, John
Grenier, James
Oxenham, Lee
Converse, Larry
Irwin, Virginia
Rollins, Skip
Gagnon, Raymond
Laware, Thomas
Schmidt, Andrew

NAYS - 13

CHESHIRE

Phillips, Larry
Roberts, Kris
Shepardson, Marjorie

COOS

Froburg, Alethea

GRAFTON

Nordgren, Sharon

HILLSBOROUGH

Roberts, Carol
Shattuck, Gilman

MERRIMACK

Bartlett, Christy
Ratzki, Mario

ROCKINGHAM

Cahill, Michael
Cali-Pitts, Jacqueline
Heffron, Frank

STRAFFORD

Kaen, Naida

and the committee report was adopted.

Rep. Cali-Pitts voted Nay and intended to vote Yea.

HB 679-FN, establishing tax deferrals for expansion of natural gas distribution systems. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph R. Lachance for Ways and Means. This bill established a tax deferral on the business profits tax (BPT), the business enterprise tax (BET), the utility property tax (UPT) and property tax for natural gas distribution systems. Under this bill, effective July 1, 2015, a qualifying business may apply to the department of revenue administration (DRA) for a 5-year tax deferral of BPT, BET and UPT for taxes due

each year during the 5-year period and for interest accrued at 5% annually on the amount due. The DRA notes the commissioner of the DRA has no way of estimating the amount of taxes and interest that would be deferred for the 5-year period. The DRA would have an increase in expenditures in order to administer this bill. This bill requires DRA to adopt rules under RSA 541-A for administration implementation of this bill, and assumes additional personnel would be needed to revise forms, reprogram computers, and to write rules and administration of the bill. The committee agreed this bill is ITL. Vote 20-0. Committee report adopted.

HB 681-FN-A, increasing the marriage license fees. **OUGHT TO PASS.**

Rep. Susan W. Almy for Ways and Means. Domestic violence fills our jails, kills our citizens, poisons our children's futures, and overburdens our police, courts and emergency responders. New Hampshire's coalition against domestic and sexual violence is the lowest-funded agency of its type in the continental United States, and lost funding further during the recession years. Its mainstay is federal funding, and since at least 1981 the state provided matching money for the federal grants from two sources, the general fund and $38 of the $45 marriage license. The general fund money is sorely needed elsewhere; the $38 was raised from $33 in 1993. The money goes into a dedicated fund which rarely has a positive balance, and is used to match federal grants at 2:1 and 4:1. About one-third is used in statewide training programs for law enforcement and nurse examiners, and expert interpreters and prevention specialists for the crisis centers. The fourteen member agencies get 43% of their operating budgets from the remaining two-thirds of the federal-state money. These agencies provide temporary shelter for men, women and children fleeing abusers, for adolescent education in establishing healthy families and relationships, for local police and court training and consultations in dealing with victims and abusers for a best outcome. The $5 increase to the marriage license (after 22 years) will allow them to acquire 2-4 times that money from federal grants, totaling $135-270,000 annually - possibly enough to return the coalition to the budget level they had in the decade pre-recession. This would allow them to restore vital prevention and crisis services to near the frugal level the state provided at that time. Vote 20-1.

Rep. Sanborn offered floor amendment (0826h).

Floor Amendment (0826h)

Amend the title of the bill by replacing it with the following:

AN ACT making an appropriation to the department of health and human services for the purpose of funding the domestic violence grant program.

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Health and Human Services; Domestic Violence Grant Program; Appropriation. There is hereby appropriated to the department of health and human services the sum of $45,545 for the fiscal year ending June 30, 2016, and the sum of $45,545 for the fiscal year ending June 30, 2017, for the purpose of funding the domestic violence grant program under RSA 173-B:16. The appropriation shall be deposited in the fund for the domestic violence grant program established in RSA 173-B:15. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

2 Effective Date. This act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services for the purpose of funding the domestic violence grant program under RSA 173-B:15.

Rep. Cushing spoke against and yielded to questions.

Rep. Almy spoke against.

Rep. Sanborn spoke in favor and requested a roll call; sufficiently seconded.

YEAS 170 - NAYS 199

YEAS - 170

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Wright, Ted

CHESHIRE

Emerson, Susan
Hunt, John
Roberts, Kris
Sterling, Franklin

COOS

Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Ladd, Rick
Piper, Wendy

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christie, Rick
Eastman, Eric
Edelblut, Frank
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gould, Linda
Goulette, William
Griffin, Barbara
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Kotowski, Frank
Kuch, Bill
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Fesh, Robert
Gordon, Richard
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Lundgren, David
Major, Norman
Nigrello, Robert
O'Connor, John
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 199

BELKNAP

Fields, Dennis
LeBreche, Shari
Spanos, Peter
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
McConnell, Jim
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Johnson, Eric
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Boehm, Ralph
Booras, Efstathia
Brown, Pamela
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Estevez, Eric
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Pierce, David
Porter, Marjorie
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Hoell, J.R.
Karrick, David
Kenison, Linda
Kidder, David
Long, Douglas
MacKay, James
Marple, Richard
Martin, John
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Allen, Mary
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cushing, Robert
Devine, James
DiFranco, Debbie
Ferrante, Beverly
Francese, Paula
Friel, William
Gannon, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Kolodziej, Walter
Lovejoy, Patricia

Manning, John
McMahon, Charles
Simpson, Alexis
Wood, David
Matthews, Carolyn
Milz, David
Ward, Gerald
McBeath, Rebecca
Pantelakos, Laura
Welch, David
McKinney, Betsy
Sherman, Thomas
Woitkun, Steven

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Turcotte, Leonard
Berube, Roger
Gardner, Janice
Schmidt, Peter
Sprague, Dale
Verschueren, James
Bixby, Peter
Horrigan, Timothy
Smith, Marjorie
Stevens, Audrey
Wall, Janet
Burton, Wayne
Kaen, Naida
Southworth, Thomas
Treleaven, Susan
Ward, Kenneth

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew
Converse, Larry
Irwin, Virginia
Gagnon, Raymond
O'Hearne, Andrew
Gottling, Suzanne
Oxenham, Lee

and floor amendment (0826h) failed.
Rep. Major voted Yea and intended to vote Nay.

The question now being adoption of the committee report of Ought to Pass.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 223 - NAYS 146

YEAS - 223

BELKNAP

Fields, Dennis
Varney, Peter
Hurt, George
LeBreche, Shari
Tilton, Franklin

CARROLL

Buco, Thomas
Nelson, Bill
Umberger, Karen
Butler, Edward
Parker, Harold
Crawford, Karel
Schmidt, Stephen
McConkey, Mark
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Parkhurst, Henry
Robertson, Timothy
Tilton, Benjamin
Ames, Richard
Eaton, Daniel
Pearson, William
Sad, Tara
Weber, Lucy
Berch, Paul
Hunt, John
Phillips, Larry
Shepardson, Marjorie
Bordenet, John
Ley, Douglas
Roberts, Kris
Tatro, Bruce

COOS

Fothergill, John
Tholl, John
Froburg, Alethea
Thomas, Yvonne
Hatch, William
Moynihan, Wayne

GRAFTON

Abel, Richard
Cooney, Mary
Ladd, Rick
Shackett, Jeffrey
Almy, Susan
Ford, Susan
Maes, Kevin
Smith, Suzanne
Bennett, Travis
Hennessey, Martha
Massimilla, Linda
Sykes, George
Brown, Chris
Higgins, Patricia
Nordgren, Sharon
Townsend, Charles

HILLSBOROUGH

Adams, Christopher
Beaulieu, Jane
Cornell, Patricia
Donovan, Daniel
Gargasz, Carolyn
Gorman, Mary
Backus, Robert
Booras, Efstathia
Cote, David
Edwards, Elizabeth
Gidge, Kenneth
Griffin, Barbara
Balcom, John
Brown, Pamela
Danielson, David
Forest, Armand
Goley, Jeffrey
Guerette, C. Lee
Barry, Richard
Cohen, Alan
DiSilvestro, Linda
Freitas, Mary
Gonzalez, Carlos
Haefner, Robert

Hansberry, Daniel
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
O'Neil, William
Pierce, David
Rokas, Ted
Shattuck, Gilman
Snow, Kendall
Takesian, Charlene
Wolf, Terry
Hansen, Peter
Hinch, Richard
Lachance, Joseph
Manley, Jonathan
Ober, Lynne
Porter, Marjorie
Rosenwald, Cindy
Shaw, Barbara
Soucy, Timothy
Vann, Ivy
Woodbury, David
Harvey, Suzanne
Infantine, William
Leishman, Peter
McNamara, Richard
Palmer, Barry
Proulx, Mark
Rouillard, Claire
Smith, Gregory
Straight, Phillip
Walsh, Robert
Heath, Mary
Jack, Martin
Long, Patrick
O'Brien, Michael
Pellegrino, Anthony
Roberts, Carol
Scontsas, Lisa
Smith, Timothy
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hirsch, Geoffrey
MacKay, James
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Bartlett, Christy
Doherty, David
Gile, Mary
Karrick, David
Martin, John
Ratzki, Mario
Schuett, Dianne
Wheeler, Deborah
Bradley, Paula
Ebel, Karen
Henle, Paul
Kenison, Linda
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Carson, Clyde
Frazer, June
Hess, David
Kidder, David
Myler, Mel
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Borden, David
Chase, Francis
Doucette, Fred
Gordon, Pamela
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Prudhomme-O'Brien, Katherine
Sytek, John
Allen, Mary
Cahill, Michael
Christie, Andrew
Elliott, Robert
Guthrie, Joseph
Lovejoy, Patricia
Matthews, Carolyn
Milz, David
Sanders, Elisabeth
Vose, Michael
Azarian, Gary
Cali-Pitts, Jacqueline
Cushing, Robert
Ferrante, Beverly
Hagan, Joseph
Lundgren, David
McBeath, Rebecca
Nigrello, Robert
Sherman, Thomas
Ward, Gerald
Berrien, Skip
Cardon, G. Thomas
DiFranco, Debbie
Francese, Paula
Heffron, Frank
Major, Norman
McKinney, Betsy
Pantelakos, Laura
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William
DiSesa, Len
Kaen, Naida
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth
Berube, Roger
Gardner, Janice
Knowles, Robert
Southworth, Thomas
Treleaven, Susan
Bixby, Peter
Gray, James
Rollo, Deanna
Spang, Judith
Verschueren, James
Burton, Wayne
Horrigan, Timothy
Schmidt, Peter
Sprague, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Grenier, James
Oxenham, Lee
Converse, Larry
Irwin, Virginia
Rollins, Skip
Gagnon, Raymond
Laware, Thomas
Schmidt, Andrew
Gottling, Suzanne
O'Hearne, Andrew
Smith, Steven

NAYS - 146

BELKNAP

Aldrich, Glen
Fraser, Valerie
Spanos, Peter
Comtois, Guy
Gallagher, Brian
Sylvia, Michael
Dumais, Russell
Howard, Jr., Raymond
Vadney, Herbert
Fisher, Robert
Luther, Robert

CARROLL

Avellani, Lino
McCarthy, Frank
Chandler, Gene
Wright, Ted
Comeau, Ed
Cordelli, Glenn

CHESHIRE

Emerson, Susan
McConnell, Jim
Sterling, Franklin

COOS

Rappaport, Laurence
Richardson, Herbert
Rideout, Leon

GRAFTON

Bailey, Brad
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Piper, Wendy

HILLSBOROUGH

Ammon, Keith
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gould, Linda
Goulette, William
Halstead, Carolyn
Hogan, Edith
Hopper, Gary
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Russell
Ohm, Bill
Parison, James
Peterson, Ken
Rice, Kimberly
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Seidel, Carl
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Harris, Jeffrey
Hodgdon, Bruce
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
O'Connor, John
Packard, Sherman
Potucek, John
Rice, Frederick
Schroadter, Adam
Spillane, James
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Ward, Joanne
Webb, James
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest

and the committee report was adopted and ordered to third reading.

HB 236, relative to child support and allowable child care expenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel C. Itse for the Majority of Children and Family Law. As amended, this bill ensures that all of the children, natural and adopted, of an individual who has a child support obligation are treated equally. This bill removes an existing inequity by birth order. It will hopefully remove existing impediments to stable second marriages. Vote 11-8.

Rep. Martha Hennessey for the Minority of Children and Family Law. The minority believes that children of divorce even within the "best" divorces, have lived through crises inherent in the end of their family of origin. Stability is critical and in the best interest of all children including financial stability. HB 236 allows the parent providing court-ordered financial support to reduce financial support to existing children when he/she has subsequent biological or adopted children. The needs of existing children are not reduced when parents remarry and have other children.

Majority Amendment (0618h)

Amend the bill by replacing section 1 with the following:

1 Child Support Guidelines; Self-Support Reserve. Amend RSA 458-C:2, X to read as follows:

X. "Self-support reserve" means 115 percent of the federal poverty guideline for a single person living alone ***or for the obligor's household***, as determined annually by the United States Department of Health and Human Services. ***The obligor's household shall include the obligor and any minor natural or adopted children of the obligor who are not the subject of the support order.***

2 Child Support Guidelines; Allowable Child Care Expenses. Amend RSA 458-C:2, I-a to read as follows:

I-a. "Allowable child care expenses" means actual work-related child care expenses for [~~the children to whom the order applies~~] ***the natural or adopted children of either party*** and includes necessary work-related education and training costs.

AMENDED ANALYSIS

This bill increases the amount of the self-support reserve if the obligor's household includes other natural or adopted children of the obligor. The bill also expands the definition of allowable child care expenses to include expenses for the natural or adopted children of either party.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Martha Hennessey spoke against and yielded to questions.

Rep. Itse spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 174

YEAS - 191

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin
Tilton, Benjamin			

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda

Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Goulette, William
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Lachance, Joseph
LeBrun, Donald
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Carson, Clyde
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Bates, David
Chase, Francis
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Manning, John
McKinney, Betsy
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Potucek, John
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 174

BELKNAP

Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Crawford, Karel
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Griffin, Barbara
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	Marston, Dick	McNamara, Richard	O'Brien, Michael
O'Neil, William	Pierce, David	Porter, Marjorie	Proulx, Mark
Roberts, Carol	Rokas, Ted	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur	Belanger, Ronald	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Christie, Andrew
Cushing, Robert	DiFranco, Debbie	Doucette, Fred	Elliott, Robert
Francese, Paula	Gordon, Pamela	Harris, Jeffrey	Heffron, Frank
Lovejoy, Patricia	Lundgren, David	Matthews, Carolyn	McBeath, Rebecca
Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Sherman, Thomas	Simpson, Alexis
Ward, Gerald	Woitkun, Steven		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Horrigan, Timothy	Kaen, Naida	Leeman, Don	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair)

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Comeau moved that the House reconsider its action whereby, on a voice vote, the House adopted the committee report of Inexpedient to Legislate on **HB 283,** requiring school districts to establish a policy permitting a pupil's parent or legal guardian to observe his or her classes.
Rep. Comeau spoke in favor.
Rep. Ladd spoke against.
Motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Tucker moved that the House reconsider its action whereby, on a roll call vote of 181-134, the House adopted the committee report of Ought to Pass on **HCR 2,** applying to Congress to hold a convention for amendments.
Reps. Baldasaro and McConnell spoke in favor.
Rep. Theberge spoke against.
On a division vote, 135 members having voted in the affirmative and 224 in the negative, the motion failed.

MOTION TO SPECIAL ORDER

Rep. Shurtleff moved that **HB 658-FN,** prohibiting collective bargaining agreements that require employees to join a labor union, be made a Special Order as the last bill on today's Regular Calendar.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 380, relative to investigations of child day care agencies. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Skip Berrien for the Majority of Children and Family Law. This bill requires daycare agency licensing complaint interviews of children to be conducted in the presence of a representative of said agency, with the consent of the parent or guardian and with audio or video recording. The committee voted Inexpedient to Legislate because the provisions of this bill are addressed in a required department of health and human services child care registration form. The presence of an agency representative is inappropriate and agencies are reluctant to make electronic recordings. Vote 9-8.
Rep. Jeffrey D. Oligny for the Minority of Children and Family Law. The minority has plans to amend the bill to address concerns heard in committee which led to the Inexpedient to Legislate vote.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Itse spoke against.
Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 154 - NAYS 217

YEAS - 154

BELKNAP

Spanos, Peter

CARROLL

Buco, Thomas	Butler, Edward	McConkey, Mark	Ticehurst, Susan
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Jack, Martin
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Palmer, Barry
Porter, Marjorie
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
Gile, Mary
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
DiFranco, Debbie
Elliott, Robert
Francese, Paula
Gordon, Pamela
Hagan, Joseph
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
McKinney, Betsy
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew

NAYS - 217

BELKNAP

Aldrich, Glen
Comtois, Guy
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Wright, Ted

CHESHIRE

Emerson, Susan
Hunt, John
McConnell, Jim
Roberts, Kris
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Chris
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Bradley, Paula
Brewster, Michael
Deloge, Helen
French, Barbara
French, Harold
Henle, Paul
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Bates, David
Belanger, Ronald
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman

Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth
Schroadter, Adam	Spillane, James	Sytek, John	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Irwin, Virginia	Laware, Thomas
Rollins, Skip	Smith, Steven		

and the majority committee report failed.

Rep. Itse moved the minority committee report of Ought to Pass and offered floor amendment (0234h).

Floor Amendment (0234h)

Amend the bill by replacing section 1 with the following:

1 Child Day Care Licensing; Rulemaking. Amend RSA 170-E:11, IV to read as follows:

IV. Policy and procedures concerning monitoring visits, investigation of complaints and disciplinary proceedings, including corrective action plans, against licensees*; provided that any interview with a child shall be conducted only in the presence of the child's parent, legal guardian, or their designee and with the prior written consent of the child's parent or legal guardian. The department of health and human services shall make an audio or video recording of the interview according to the department's protocol for recording such interviews. The child's parent or legal guardian shall be provided a copy of the recording upon request, for a fee of not more than $10.*

AMENDED ANALYSIS

This bill permits the department of health and human services to interview a child as part of an investigation of a child day care agency only if the child's parent or legal guardian is present and consents to the interview. The bill requires the department to record the interview and provide a copy of the recording to the child's parent or guardian upon request.

Rep. Itse spoke in favor and yielded to questions.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 213 - NAYS 157

YEAS - 213

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Roberts, Kris
Sterling, Franklin	Tilton, Benjamin		

COOS

Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Cohen, Alan
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
Ober, Lynne
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Bates, David
Belanger, Ronald
Chase, Francis
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Spang, Judith
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 157

BELKNAP

Spanos, Peter

CARROLL

Buco, Thomas
Butler, Edward

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Goley, Jeffrey
Gorman, Mary
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McNamara, Richard
O'Brien, Michael
O'Brien, William
O'Neil, William
Palmer, Barry
Pierce, David
Porter, Marjorie
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Harris, Jeffrey
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and floor amendment (0234h) was adopted.

The question now being adoption of the minority committee report of Ought to Pass with Amendment.
Rep. Long spoke against.
Rep. Itse spoke in favor and yielded to questions.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 214 - NAYS 157

YEAS - 214

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Roberts, Kris
Sterling, Franklin			

COOS

Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Cohen, Alan	Danielson, David	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Gonzalez, Carlos	Gould, Linda	Goulette, William	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	Ober, Lynne
Ober, Russell	Ohm, Bill	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Rowe, Robert	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn
Takesian, Charlene	Twombly, Timothy	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Friel, William
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem
Kolodziej, Walter	Lundgren, David	Major, Norman	Matthews, Carolyn
McKinney, Betsy	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Sanders, Elisabeth	Schroadter, Adam	Spillane, James	Sytek, John
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Wood, David	

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 157

BELKNAP

Spanos, Peter

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Edwards, Elizabeth
Forest, Armand	Freitas, Mary	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Katsiantonis, Thomas	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	O'Brien, William	O'Neil, William	Palmer, Barry
Porter, Marjorie	Roberts, Carol	Rokas, Ted	Rosenwald, Cindy
Rouillard, Claire	Shattuck, Gilman	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane		

ROCKINGHAM

Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie
Francese, Paula	Gordon, Pamela	Harris, Jeffrey	Heffron, Frank
Lovejoy, Patricia	Manning, John	McBeath, Rebecca	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	Woitkun, Steven

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the minority committee report was adopted and ordered to third reading.

HB 441, relative to financial affidavits submitted in hearings regarding child support, property settlement, and alimony. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel C. Itse for the Majority of Children and Family Law. As amended, this bill moves the requirement for financial affidavits for support and alimony hearings from court rules to statute so that it cannot be waived. Over the past several years there have been multiple occasions which one party to a hearing was excused from this requirement creating an inherent inequity in the process. The bill also requires submission of a knowingly false affidavit to be reported to the county attorney as sworn falsification (RSA 641:2). If no action is taken by the county attorney, it enables parties to the hearing to introduce and prosecute the matter privately as a misdemeanor b. Vote 11-8

Rep. Audrey M. Stevens for the Minority of Children and Family Law. The minority is extremely concerned that due diligence was not done with this bill, as amended. The amendment introduced at the executive session, and not previously vetted, opens up areas which may elevate conflict in cases. For example, when a disgruntled spouse may press charges without agreement of the court. The minority believes that there are already laws on the books concerning false statements, making this bill unnecessary, and possibly resulting in unintended negative consequences.

Majority Amendment (0614h)

Amend RSA 458:15-b, I as inserted by section 1 of the bill by replacing it with the following:

I. ***Prior to a hearing regarding child support, property settlement, or alimony, both parties shall submit financial affidavits. The financial affidavits shall be accepted as prima facie evidence of income unless challenged by the court. Submission of a knowingly false financial affidavit shall be referred for prosecution as an act of falsification under RSA 641. Any party to the case may submit a criminal complaint as a misdemeanor B offense directly to the district court, pursuant to RSA 592-A:7. In the absence of prosecution by the county attorney, the party may prosecute the offense privately.***

AMENDED ANALYSIS

This bill requires the parties to submit, as evidence of income, financial affidavits prior to any hearing regarding child support, property settlement, or alimony. The bill also provides that a party who knowingly submits a false financial affidavit may be charged with a crime of falsification. The bill further provides that the crime may be prosecuted privately.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, 213 members having voted in the affirmative and 150 in the negative, the majority committee report was adopted and ordered to third reading.

HB 449, relative to the duration of child support. **OUGHT TO PASS.**

Rep. Elizabeth Ferreira for Children and Family Law. This bill clarifies current statute regarding when adult child support terminates: when a child over the age of 18 withdraws from high school (support would not be restarted if the adult child enters a GED program); and upon incarceration for a criminal conviction. The bill also allows parents to have access to their adult child's education records if the adult child is still in high school and child support is still being paid. Vote 13-6.

Committee report adopted and ordered to third reading.

HB 514, revising the child support guidelines. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Debra L. DeSimone for the Majority of Children and Family Law. RSA 458-C:3 provides child support guidelines based on an income shares formula which were enacted effective July 1, 2013. HB 514 would drastically change how child support is calculated. The majority of the committee agrees this is not beneficial to support for children. Vote 12-8.

Rep. Jeffrey D. Oligny for the Minority of Children and Family Law. The minority remains concerned with the level of conflict that exists in divorced families as a result of the state's current child support guidelines that often provide profits to parents for raising their children. As opposed to a "winner-take-all" philosophy which puts price tags on the heads of our children, the minority proposes a cap on child support awards which limits the profit and incentive to litigate over child custody between fit parents. Current guidelines make New Hampshire children more profitable than almost every other state in the nation and the minority hopes to change that. The minority supports Ought to Pass.

Majority committee report adopted.

HB 516, relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Carolyn M. Gargasz for the Majority of Children and Family Law. This bill, which has failed twice in the past does not put best interests of the child as a priority. Best interest is the New Hampshire policy and a nationally recognized standard for determining a child's time with each parent. Some criteria removed are child's relationship with each parent, each parent's ability to provide for and care for the child, and whether contact between the parent and child is likely to harm the child. It also imposes a rebuttable presumption of equal parenting time. In New Hampshire, each family is unique and this provision imposes a "one size fits all" standard. Vote 11-9.

Rep. Jeffrey D. Oligny for the Minority of Children and Family Law. The main intent of the bill is to remove subjective custody criteria, which judges were unable to properly decide and which was used to remove fit parents from their children. It is also supported by considerable psychological studies that a 50/50 parenting presumption (not creating an adversarial winner/loser dichotomy) is best for children. The state should promote divorced parent cooperation and not adversity. The minority prefers to pass this bill.

LAID ON THE TABLE

Rep. Gargasz moved that **HB 516,** relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities, be laid on the table.
On a division vote, 250 members having voted in the affirmative and 115 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 637-FN, relative to acts of falsification in family law cases. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Debra L. DeSimone for the Majority of Children and Family Law. In current law, people in court are sworn in to tell the truth. False swearing is already in statute; Title LXII Criminal Code Chapter 641 Falsification in Official Matter Section 641:2 effective November 1, 1993. HB 637 would not make RSA 641:2 better. Vote 12-6.
Rep. Daniel C. Itse for the Minority of Children and Family Law. Falsification in judicial proceedings is an offense against the other party. Failure to punish this offense is an injustice perpetrated by the court. This bill would ensure that justice is served. Tolerating this injustice is inexcusable.

The question being adoption of the majority committee report of Inexpedient to Legislate.
On a division vote, 213 members having voted in the affirmative and 152 in the negative, the majority committee report was adopted.

HB 137, relative to homeowner's insurance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Laura M. Jones for the Majority of Commerce and Consumer Affairs. Currently in New Hampshire, an insurer has the right not to renew a property insurance contract with an insured if the insured has filed two or more valid claims in a 12-month period. In cases of non-renewal, the insured has the option of switching to the surplus and excess market for three years, and then the insured may return to the standard market. This bill seeks to reduce the number of possible valid claims by creating a type of 'non-claim' claim. A 'non-claim' claim would be any claim that is closed without payment to the insured or a third party, and where the insurer loss adjusting expense does not exceed a set amount. There may be varied reasons for non-payment, but the fact remains that frequency of claims filed is a valid underwriting risk. Proper accounting of underwriting risks is the key to solvent insurers and accurate premium pricing for all insurance customers. Therefore, the majority of the committee believes that ITL is the correct recommendation. Vote 12-8.
Rep. Richard M. Abel for the Minority of Commerce and Consumer Affairs. The minority believes this bill provides a needed, additional layer of consumer protections for New Hampshire policyholders of homeowner's insurance. It clarifies the term "valid claim" to prevent insurance companies from non-renewing policies based solely on a policyholder making an inquiry about coverage, on claims closed without payment to the insured or third party claimants or in which insurer loss adjusting expense does that not exceed $10,000.
Majority committee report adopted.

HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Rebecca McBeath for the Majority of Commerce and Consumer Affairs. This bill adds a section to the Condominium Act establishing a process by which condominium unit owners associations (board of directors, president, attorney, etc.) may obtain the association's records held by the contracted management agent of the association. This bill also specifies the time frame by which the agent must produce the association's documents after such a request, and authorizes the award of reasonable legal fees to the association if a lawsuit for production of documents is required. Vote 15-5.
Rep. Bart Fromuth for the Minority of Commerce and Consumer Affairs. The minority felt that this bill is an unwarranted government intrusion into the world of commercial contracts. The minority recommends that condo associations hire better attorneys. Furthermore, the bill, as introduced, calls for the return of all documents held by the management company within thirty (30) days. The minority also felt that this time period was unreasonable given the extraordinary amount of documentation to be turned over.

Majority Amendment (0049h)

Amend RSA 356-B:40-b as inserted by section 1 of the bill by replacing it with the following:

356-B:40-b Unit Owners' Association Records. Upon written request from the unit owner's association, its board of directors, the president of the association, or the association's attorney to the managing agent, sent by first class mail, facsimile, or electronically, the managing agent shall, irrespective of any language to the contrary in any management contract, return to the board of directors, president, or the association's attorney, any and all association records held by the managing agent within 30 days from the date of the request for such records. The managing agent shall have the right, at its own expense, to copy any and all association records it wishes to keep for its own records but shall comply with the requirement of returning all records to the association within the 30-day period. If the managing agent fails to return all association records within the 30-day period and the association institutes a lawsuit for purposes of recovering the association's records, then any judgment or order in favor of the association shall include the association's reasonable legal fees and costs as determined by the court.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Baldasaro requested a roll call; not sufficiently seconded.
On a division vote, 245 members having voted in the affirmative and 119 in the negative the majority committee report was adopted and ordered to third reading.

HB 210, relative to financial responsibility limits for motor vehicle liability insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. John Bordenet for Commerce and Consumer Affairs. This bill raises the financial responsibility limits for motor vehicle liability insurance. The committee believes that it is inappropriate to increase the financial burden imposed on people required to purchase this insurance. Vote 12-7.
Committee report adopted.

HB 220-FN, requiring licensure of community association property managers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Harold F. French for the Majority of Commerce and Consumer Affairs. The bill proposes requiring licensure of community association property managers for condominiums. Although well intended to address some condo owners complaints about property managers, licensing of these business professionals was unwarranted since they are hired and fired by the condo association. Ultimately, it is the condo association that should decide if they are not competent rather than a state licensure board. These private business people are evaluated by the market because there are no standards of conformity that comes with licensure. Anything that would be addressed through licensure is already addressed in existing condo legislation. Vote 13-7.

Rep. Kermit R. Williams for the Minority of Commerce and Consumer Affairs. This bill was created by the committee to study the laws relating to condominium and homeowners' associations. Testimony in the committee revealed that while some condominium association property managers were well-trained and provided excellent service to their communities, there were others who failed to meet reasonable standards of professionalism. The committee recommended licensure of property managers in order to achieve greater competence and accountability. This bill would create a licensing board as part of the joint board of licensure and certification. The board would consist of property managers and related persons and would ensure that license candidates meet defined standards, including background and training. The state already licenses professionals who interact with private citizens, from hairdressers to doctors. Property managers handle large sums of money and have significant control over the operation of an entire community. It makes sense that both the providers and their customers would be well served by licensing.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Williams spoke against and yielded to questions.
Rep. Harold French spoke in favor.
On a division vote, 239 members having voted in the affirmative and 117 in the negative, the majority committee report was adopted.

HB 343, requiring certain charitable nonprofit corporations to provide certain information relative to board members. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Laura M. Jones for the Majority of Commerce and Consumer Affairs. This bill would require all charitable nonprofit corporations that are required to file IRS Form 990 to provide a list of the names, titles, and towns/cities of residence of the members of its board of directors on its website, or, lacking a website, upon request within 10 business days. Even though this information is already included on Form 990, and is also accessible through the New Hampshire secretary of states corporate web page, supporters of this bill desire even greater transparency. However, according to the New Hampshire ACLU, passing this bill would set precedent compelling organizations to speak in this way (dictating website content). In addition, no other state in the country has this requirement. Organizations also testified regarding their concern for protecting the privacy of their board members by not including this type of information on their websites. Not only were they concerned about privacy, but also safety, and their ability to find volunteers willing to serve as board members if such information was required to be placed on their websites. The majority of the committee believes that since this information is already available and the Attorney General has the authority to shut down a non-profit if it fails to disclose its board members, we should not legislate the website content of these corporations. Vote 13-6.
Rep. Edward A. Butler for the Minority of Commerce and Consumer Affairs. This bill simply requires that all nonprofits with budgets over $50,000 per year, who file 990s with the charitable trusts division, publish their board of directors on their websites, or by other means if there is no website. We actually heard one board member in our hearing complain that he might be bothered by members of the public if his name were published. The minority believes that this is a simple and basic responsibility to maintain the public trust.
Majority committee report adopted.

HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers. **OUGHT TO PASS.**
Rep. Christopher J. Herbert for Commerce and Consumer Affairs. Currently, driver's license information may only be transferred by non-law enforcement personnel in non-electronic format and with the consent of the license holder. This bill permits pawnbrokers and second hand dealers to record and retain such information in an electronic format for their sales records and for submission to law enforcement for the sole purpose of identifying sellers of stolen merchandise. The consent of the license holder would continue to be required in this situation. Vote 15-5.
Committee report adopted and ordered to third reading.

HB 495, relative to referral fees for settlement services. **OUGHT TO PASS.**
Rep. Harold F. French for Commerce and Consumer Affairs. The committee strongly recommends the passage of this legislation because it creates a pro-business atmosphere encouraging future growth in certain segments of the commercial real estate industry. The bill would allow referral fees for commercial real estate transactions. It does not change, however, the current prohibition under the real estate law of allowing real estate agents to be compensated for finding or negotiating financing for residential real estate transactions. However, it removes the state regulation over commercial contracts between business entities. Vote 14-3.
Committee report adopted and ordered to third reading.

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill establishes a procedure for the dissolution of the New Hampshire Medical Malpractice Joint Underwriting Association (JUA). At the direction of the commission to study the New Hampshire medical malpractice JUA, the New Hampshire insurance department investigated the availability of replacement insurance, and finding sufficient availability, requested this legislation to wind down the JUA. The committee heard testimony that the JUA was not established to drive out private insurance, but only to avert a crisis with the lack of supply of medical malpractice insurance that occurred in the 1970s. Currently, the JUA is unsustainable without significant premium increases. The wind down is to be done under court supervision, and coverage will last for an additional year to give those insured additional time to find replacement coverage. The amendment makes technical corrections to the original bill, and makes a provision for the purchase of tail coverage. Vote 15-1.

Amendment (0674h)

Amend RSA 404-C:15, I as inserted by section 2 of the bill by replacing it with the following:

I. Upon the effective date of this section, the insurance commissioner shall bring a petition to the superior court for Merrimack county for the receivership of the New Hampshire medical malpractice joint underwriting association (NHMMJUA) pursuant to RSA 402-C. The receivership of the NHMMJUA shall include the stabilization reserve fund trust established in 1986 to pay deficits of the association incurred as a result of policies issued prior to January 1, 1986. Subject to such receivership, the NHMMJUA shall be a continuation of the same unincorporated association in existence immediately before the effective date of this section. The NHMMJUA shall be an insurer organized in this state for purposes of RSA 402-C.

Amend RSA 404-C:15, II as inserted by section 2 by inserting after subparagraph (d) the following new subparagraph:

(e) Upon the non-renewal of any claims-made policy issued by the NHMMJUA that is in-force as of the effective date of this section, calculate the amount of tail premium collected, using reasonable actuarial methodologies and standards of practice, and return the tail coverage premium to the policyholder. For the purpose of this subparagraph, tail coverage premium shall mean that portion of the premium collected by the NHMMJUA and separately identified in NHMMJUA's financial statements, and which would have been used to provide tail coverage if tail coverage had been provided under the terms of the policy. Return of tail coverage premium shall only be provided to those claims-made policyholders who will not otherwise receive tail coverage under their claims-made policies.

Amend RSA 404-C:15, III as inserted by section 2 of the bill by replacing it with the following:

III. The NHMMJUA shall have no in-force insurance business after December 31, 2016, other than extended reporting coverage elected under policies issued on or before December 31, 2015.

Amend RSA 404-C:16, IV as inserted by section 2 of the bill by replacing it with the following:

IV. The board members and officers of the NHMMJUA shall continue to be officers, trustees, officials, or employees of the state subject to RSA 99-D through the date of the rehabilitation order.

V. Until liquidated, the NHMMJUA shall continue as a legally cognizable unincorporated association solely for the purpose of winding down the NHMMJUA, consistent with this chapter. The provisions of this section and RSA 402-C shall control the management of claims and obligations of the association and shall supersede the provisions of administrative rules governing the operation of the NHMMJUA.

Amend RSA 404-C:17 as inserted by section 2 of the bill by replacing it with the following:

404-C:17 Closure of the NHMMJUA.

I. Subject to the provisions of RSA 404-C:15 and RSA 404-C:16, the NHMMJUA's obligations shall be wound up through rehabilitation under chapter 402-C.

II. Upon the resolution of all the association's obligations, and upon the approval of the supervising court, the association shall thereupon be liquidated and the receiver discharged.

III. The provisions of RSA 404-C:15 – RSA 404-C:17 shall not alter, and shall not be construed to alter, any vested contractual rights that any class of NHMMJUA policyholders may have with respect to excess surplus of the NHMMJUA. The existence and extent of any such rights shall be determined by the court in the receivership proceeding.

Amend the bill by replacing sections 5 and 6 with the following:

5 Applicability; Effective Date of Repeal. Section 4, paragraph II of this act shall take effect upon the date of dissolution and the end of the receivership of the New Hampshire medical malpractice joint underwriting association as certified by the insurance commissioner to the director of the office of legislative services and the secretary of state.

6 Effective Date.

I. Section 4, paragraph II of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect upon its passage.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 548, establishing the federally-facilitated health exchange as the health exchange for New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph A. Hannon for Commerce and Consumer Affairs. This bill is in reaction to a future United States Supreme Court decision, expected in June 2015, regarding whether or not individuals in states

that have not already set up a state based exchange qualify for subsidies. The majority of the committee believes that this bill is not needed since we cannot predict what the USSC will decide, and if there is a solution needed it must come from the federal level. Vote 11-5.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 237 - NAYS 131

YEAS - 237

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Bordenet, John	Hunt, John	McConnell, Jim	Pearson, William
Phillips, Larry	Roberts, Kris	Sterling, Franklin	

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Massimilla, Linda	Shackett, Jeffrey	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Brown, Pamela	Burt, John	Byron, Frank	Christiansen, Lars
Christie, Rick	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Gonzalez, Carlos	Gould, Linda	Goulette, William	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Katsiantonis, Thomas	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Silva, Peter	Simmons, Tammy
Smith, Gregory	Smith, Timothy	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene
Twombly, Timothy	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	Deloge, Helen	French, Harold	Hess, David
Hill, Gregory	Hoell, J.R.	Horn, Werner	Karrick, David

Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Saunderson, George	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	DeSimone, Debra	Devine, James	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Friel, William	Gannon, William	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth
Schroadter, Adam	Spillane, James	Sytek, John	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Cilley, Jacalyn
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Southworth, Thomas	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 131

CARROLL

Buco, Thomas	Butler, Edward

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Ley, Douglas	Parkhurst, Henry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel

Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Jack, Martin
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Kenison, Linda
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	DiSesa, Len
Gardner, Janice	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Sprague, Dale
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the committee report was adopted.

HB 554-FN, relative to sales of beer in refillable containers. **OUGHT TO PASS WITH AMENDMENT.** Rep. Kermit R. Williams for Commerce and Consumer Affairs. This bill was the recommendation of the commission to study the sale of beer in refillable containers. The commission studied packaging definitions and standards, retail logistics, consumer procedures, and general health and safety issues arising from authorizing liquor licensees to sell draft beer in refillable containers, often referred to as growlers. The bill, as amended, defines a standard growler package that all licensees can use, and defines a set of license standards to ensure that on and off-premise retailers that sell growlers will meet standards for operation and sanitation, and will have made a strong financial commitment to the sale of craft beer. New Hampshire brewers who do not wish to have others put their beer in refillable containers can opt out of the program by notifying the liquor commission. Vote 12-4.

Amendment (0599h)

Amend RSA 178:32, I-II as inserted by section 2 of the bill by replacing them with the following:

I. An on-premises or off-premises licensee maintaining an inventory of at least 200 different beer labels and paying an additional fee of $240 shall be issued a refillable beer container license authorizing the licensee to fill standard refillable containers in accordance with this section.

II. The licensee shall attend a training program approved by the commission within 45 calendar days of the training program's availability. The training program shall include instructions in the sales, inspection, cleaning, and filling of standard refillable beer containers and sanitation standards for tap lines and equipment.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. McBeath requested a roll call; sufficiently seconded.

YEAS 311 - NAYS 58

YEAS - 311

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

CARROLL

Avellani, Lino	Buco, Thomas	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Hunt, John	Ley, Douglas
McConnell, Jim	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Bailey, Brad	Bennett, Travis	Brown, Chris
Brown, Duane	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Maes, Kevin	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Townsend, Charles		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Barry, Richard	Beaulieu, Jane	Belanger, James	Biggie, Barbara
Boehm, Ralph	Bouldin, Amanda	Brown, Pamela	Burt, John
Byron, Frank	Christiansen, Lars	Christie, Rick	Cote, David
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Freitas, Mary	Fromuth, Bart	Gagne, Larry
Gidge, Kenneth	Gonzalez, Carlos	Gorman, Mary	Gould, Linda
Goulette, William	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter	Heath, Mary
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Jack, Martin	Katsiantonis, Thomas	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Manley, Jonathan	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
McNamara, Richard	Moore, Josh	Murotake, David	Notter, Jeanine
O'Brien, Michael	O'Brien, William	O'Neil, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Porter, Marjorie
Proulx, Mark	Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Shattuck, Gilman	Silva, Peter
Simmons, Tammy	Smith, Gregory	Soucy, Timothy	Souza, Kathleen

Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
French, Harold
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Hoell, J.R.
Horn, Werner
Karrick, David
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Borden, David
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Sherman, Thomas
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Berube, Roger
Bickford, David
Cheney, Catherine
Cilley, Jacalyn
Gardner, Janice
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Schmidt, Peter
Smith, Marjorie
Spang, Judith
Sprague, Dale
Turcotte, Leonard
Verschueren, James
Wall, Janet
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 58

BELKNAP

Hurt, George
Varney, Peter

CARROLL

Butler, Edward
Nelson, Bill
Ticehurst, Susan

CHESHIRE

Bordenet, John
Parkhurst, Henry
Roberts, Kris

COOS

Froburg, Alethea

GRAFTON

Almy, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Massimilla, Linda	Smith, Suzanne	Sykes, George	

HILLSBOROUGH

Booras, Efstathia	Cohen, Alan	Cornell, Patricia	Gargasz, Carolyn
Goley, Jeffrey	Harvey, Suzanne	Herbert, Christopher	Long, Patrick
Mangipudi, Latha	Smith, Timothy	Snow, Kendall	Vann, Ivy

MERRIMACK

Alicea, Caroletta	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Kenison, Linda	Moffett, Howard	Saunderson, George
Turcotte, Alan			

ROCKINGHAM

Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline	DiFranco, Debbie
Francese, Paula	Gordon, Pamela	McBeath, Rebecca	Pantelakos, Laura
Schroadter, Adam	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Bixby, Peter	Burton, Wayne	DiSesa, Len	Horrigan, Timothy
Rollo, Deanna	Southworth, Thomas	Stevens, Audrey	Treleaven, Susan
Ward, Kenneth			

SULLIVAN

Oxenham, Lee

and the committee report was adopted and ordered to third reading.
Rep. Murphy declared a conflict of interest and did not participate.

HB 570-FN, establishing a condominium dispute resolution board. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. George Hurt for the Majority of Commerce and Consumer Affairs. The committee had a lively debate on this bill both in the subcommittee and in executive session. This bill establishes a condominium dispute resolution board to hear and determine unit owner complaints relative to board noncompliance with association by-laws and state condominium laws. The committee felt unit owners who are dissatisfied with the work of elected board members have the ability to replace them in the next election. Equally important, testimony was given that there is no funding available to effectively establish a new condominium dispute resolution board. Vote 10-6.

Rep. Kermit R. Williams for the Minority of Commerce and Consumer Affairs. This bill was created by the Committee to Study the Laws relating to Condominium and Homeowners' Associations, which spent many hours over the past two years listening to testimony from New Hampshire citizens from all sides of the issue: condo owners and residents, condominium association board members, property managers who operate condominium facilities, and lawyers who work in the condominium business. The rules that control the association are the declaration and bylaws, both of which are originally written by the developer, and usually created for his benefit. There is no standard set for bylaws, so the fairness for residents and the amount of "democracy" in place in the association varies dramatically. Some boards don't follow their own bylaws, and the residents have little recourse other than suing. Some experts have called condominium associations small local governments; they levy fees, charge fines, maintain common facilities, and make rules for residents. If they were actually governments, the public outcry would be deafening. In New Hampshire, we have very strict rules for local governments, so they are fair to all residents. Open meetings and sunshine laws provide transparency and ensure that everyone knows what's going on, and has a chance to be heard. There are some wonderful, well-managed condominium developments, where residents are content. The others are the focus

of this bill. The attorney general gets many complaints each year, but tells the complainer that there is little they can do. Currently, a resident must take issues to court, running up thousands in legal fees. This bill would provide a lower-cost method for dispute resolution, with a board of volunteers from all areas of condominium life reviewing the issues and attempting arbitration, or making a decision that will have the force of law through the court system. With 1 in 7 residents of New Hampshire living in condominiums, we have a responsibility to ensure fair treatment for all, just as we require of other local governments.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Williams spoke against.
Rep. Hurt spoke in favor.
On a division vote, 219 members having voted in the affirmative and 132 in the negative, the majority committee report was adopted.

HB 683-FN, regulating cash for gold businesses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Harold F. French for the Majority of Commerce and Consumer Affairs. The committee voted to ITL this proposed legislation of licensing and regulating the cash for gold business. The intention was to stop "fly by night" gold transactions that some fear are just ways to fence stolen jewelry. Although well intended, this attempt to regulate commerce between private parties is not in the best interest of the citizens of the state and seen as another over reach of the state into private business transactions. We found that it was unwarranted, trying to solve mythical and fanciful problems that do not exist. Vote 9-5.
Rep. Kermit R. Williams for the Minority of Commerce and Consumer Affairs. This bill requires cash for gold businesses to be licensed and have a permanent place of business. It only applies to towns and cities where pawnbrokers and secondhand dealers are already required to be licensed. New Hampshire police agencies have been dealing with an increase in jewelry theft, driven largely by drug use, where the thieves sell the merchandise quickly, often for much less than it is worth. By ensuring that local law enforcement is aware of the existence of cash for gold businesses and where they are operating in their towns, this bill would make it more likely that stolen jewelry is recovered and returned to rightful owners, for whom the items often have a sentimental value far in excess of their intrinsic value.
Majority committee report adopted.

HB 150, establishing a study committee on the legalization of marijuana. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Robert R. Cushing for Criminal Justice and Public Safety. This bill, as amended by the committee, recognizes that in our state and the rest of the country, seismic changes are taking place in society with respect to attitudes about marijuana. In recent years, 24 states, including New Hampshire, have legalized the use of marijuana for medical reasons, and the voters in 5 states and the District of Columbia have voted to legalize adult recreational use. And last year the house passed a bill to legalize marijuana. The committee believes it is time for a comprehensive look at New Hampshire marijuana policy and establishes a commission of key stakeholders to study issues relating to the legalization, regulation and taxation of marijuana. In conducting its study the commission will look at specific issues related to the growing, selling, taxing, limiting use, advertising, promoting and otherwise regulating marijuana and marijuana-infused edible products, study the experience of NH and other states regarding the use of marijuana for medical and recreational purposes and other issues the commission deems relevant. The commission consists of 3 members of the house and 2 members of the senate, appointed by the Speaker and Senate President: the Attorney General or designee, the commissioners of the department of safety, the department of health and human services, the department of revenue administration, and the department of agriculture, markets and food, or their designees; one representative each from the NH Association of Chiefs of Police, NH Civil Liberties Union, New Futures, Marijuana Policy Project, NH Bar association, NH Medical Society, the NH Farm Bureau Federation, and three members of the public appointed by the governor. The commission will make a report on or before December 1, 2016. Vote 13-4.

Amendment (0347h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study the legalization, regulation, and taxation of marijuana.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Commission to Study the Legalization, Regulation, and Taxation of Marijuana. Amend RSA 318-B by inserting after section 38 the following new subdivision:

Commission to Study the Legalization, Regulation, and Taxation of Marijuana

318-B:39 Commission to Study the Legalization, Regulation, and Taxation of Marijuana Established.

I. There is established a commission to study the legalization, regulation, and taxation of marijuana. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) The attorney general, or designee.

(d) The commissioner of the department of safety, or designee.

(e) The commissioner of the department of health and human services, or designee.

(f) The commissioner of the department of revenue administration, or designee.

(g) The commissioner of the department of agriculture, markets and food, or designee.

(h) A representative of the New Hampshire Association of Chiefs of Police, appointed by that organization.

(i) A representative of the New Hampshire Civil Liberties Union, appointed by that organization.

(j) A representative of New Futures, appointed by that organization.

(k) A representative of the Marijuana Policy Project, appointed by that organization.

(l) A representative of the New Hampshire Bar Association, appointed by that organization.

(m) A representative of the New Hampshire Medical Society, appointed by that organization.

(n) A representative of the New Hampshire Farm Bureau Federation, appointed by that organization.

(o) Three representatives of the public, appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall study the legalization, regulation, and taxation of marijuana including the specific issues related to growing, selling, taxing, limiting use, advertising, promoting, and otherwise regulating marijuana and marijuana-infused edible products. The committee shall also study the experiences of New Hampshire and other states regarding the use of marijuana for medical purposes and for recreational purposes. The commission shall study any other issue that the commission deems relevant to its objective. The commission may solicit the advice or testimony of any organization or individual with information or expertise relevant to its study.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Ten members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before December 1, 2016.

2 Repeal. RSA 318-B:39, relative to a commission to study the legalization, regulation, and taxation of marijuana, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect December 1, 2016.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a commission to study the legalization, regulation, and taxation of marijuana.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 214-FN, relative to circumstances under which a police officer's certification may be revoked. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. This bill, while well-intentioned, is a solution seeking a problem. There are already legal mechanisms in place to deal with the revocation of a police officer's certification if s/he has been convicted of committing a crime, or if the officer has been terminated from employment for egregious behavior (or for severe violations of department standard operating procedures). This bill would remove all discretion from police chiefs and from the New Hampshire Police Standards and Training Council by making the de-certification mandatory using a standard of "clear and convincing evidence," which would potentially violate the officer's due process rights under the constitution. Vote 13-3.

Rep. John A. Burt for the Minority of Criminal Justice and Public Safety. The minority of the committee feels there must be measures taken to correct the negative perception of law enforcement by the public. Establishing a higher standard for police officers will ensure the law enforcement community as a whole will be made safer and the citizens they serve will have greater confidence in the integrity of the police.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Abramson spoke against.

Rep. DiSesa spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 233 - NAYS 122

YEAS - 233

BELKNAP

Dumais, Russell	Fields, Dennis	Hurt, George	Spanos, Peter
Tilton, Franklin			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Duane	Cooney, Mary	Ford, Susan	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles		

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Belanger, James
Biggie, Barbara	Booras, Efstathia	Byron, Frank	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Forest, Armand
Freitas, Mary	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary

Hinch, Richard
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 122

BELKNAP

Aldrich, Glen
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
LeBreche, Shari
Luther, Robert
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim	Tilton, Benjamin

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ingbretson, Paul	Johnson, Eric		

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christie, Rick	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda
Goulette, William	Griffin, Barbara	Halstead, Carolyn	Hansen, Peter
Herbert, Christopher	Hogan, Edith	Hopper, Gary	Lachance, Joseph
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ohm, Bill	Parison, James	Rice, Kimberly	Schleien, Eric
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	Parent, Jason
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Chase, Francis	Duarte, Joe	Emerick, J. Tracy	Friel, William
Gannon, William	Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Wood, David			

STRAFFORD

Beaudoin, Steven	Bickford, David	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Irwin, Virginia	Laware, Thomas	Rollins, Skip

and the majority committee report was adopted.

Rep. Maes declared a conflict of interest and did not participate.

HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shawn P. Sweeney for Criminal Justice and Public Safety. Under current law, those convicted of both class A and class B misdemeanors must wait 3 years from the end of the sentence before being allowed to petition the court for a hearing on annulment of the conviction. This bill reduces the waiting period for the less serious class B misdemeanor conviction to 2 years. The amendment excludes domestic violence related convictions from the reduced time period. Vote 17-0.

Amendment (0161h)

Amend the bill by replacing section 1 with the following:

1 Annulment of Criminal Records. Amend RSA 651:5, III to read as follows:

III. Except as provided in RSA 265-A:21 or in paragraphs V and VI, any person convicted of an offense may petition for annulment of the record of arrest, conviction, and sentence when the petitioner has completed all the terms and conditions of the sentence and has thereafter been convicted of no other crime, except a motor vehicle offense classified as a violation other than driving while intoxicated under RSA 265-A:2, I, RSA 265:82, or RSA 265:82-a for a period of time as follows:

(a) For a violation, one year, unless the underlying conviction was for an offense specified under RSA 259:39.

(b) For a class B misdemeanor except as provided in [~~subparagraph (f), 3 years~~] ***subparagraphs (f) and (h), 2 years.***

(c) For a class A misdemeanor except as provided in subparagraph (f), 3 years.

(d) For a class B felony except as provided in subparagraph (g), 5 years.

(e) For a class A felony, 10 years.

(f) For sexual assault under RSA 632-A:4, 10 years.

(g) For felony indecent exposure or lewdness under RSA 645:1, II, 10 years.

(h) For any misdemeanor where the victim was, at the time of the offense, a family or household member or intimate partner as those terms are defined in RSA 173-B:1, 3 years.

AMENDED ANALYSIS

This bill reduces the waiting period for petitioning for annulment of a class B misdemeanor offense. The bill also establishes a 3-year waiting period for petitioning for annulment of an offense involving a family or household member or intimate partner.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 367-FN, redefining simple assault. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert R. Cushing for the Majority of Criminal Justice and Public Safety. This bill attempts to amend New Hampshire's simple assault law. Currently law enforcement can use the crime of "simple assault" to charge abusers in dating situations who assault their victims. Simple assault is also the crime that routinely allows victims of domestic violence to qualify for a restraining order under RSA 173-B. If enacted this bill would make it more difficult for victims of domestic violence to receive the protection they need under the law. Under HB 367, if an abuser punches, pushes, slaps or spits on a victim but does not leave a visible injury, a law enforcement officer will have to determine whether a reasonable person would find that conduct offensive, threatening or provocative before arresting the offender. This complicates and potentially delays an arrest and civil relief in cases that pose imminent danger to victims. This bill would also legalize seemingly innocuous grooming behavior by sex offenders. For example, if a man goes to a city park and tickles small children he does not know, the children might not find this conduct "offensive," "threatening," or "provocative." Furthermore, a person cannot be charged with simple assault for simply tapping someone on the shoulder; there must be intent in order to charge under current law. We have no reason to believe that this statute is being unfairly enforced; this is a solution in search of a problem. Vote 12-4.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. The existing statute, RSA 631:2-a, narrowly defines the parameters of simple assault. Presently it covers: bodily injury to another; recklessly causing bodily injury to another; or negligently causing bodily injury by a deadly weapon; and is a misdemeanor unless committed in a fight entered into by mutual consent, in which case it is a violation. HB 367-FN adds the gender and broadens the parameters to add additional physical contact that would be understood to be offensive, threatening or provocative or unprivileged physical contact that would be understood to purposely cause sexual arousal or gratification. It is the minority opinion that these additions will more fairly defend or prosecute people that are accused of simple assault.

Majority committee report adopted.

HB 490-FN, prohibiting the retail sale of reloadable aerial shell fireworks. **INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for Criminal Justice and Public Safety. The majority of the committee agreed that this bill is not needed. NH towns and cities currently have the power to make local ordinances on fireworks. This bill was for one incident that was the homeowners fault. Vote 10-6.
Committee report adopted.

HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Burt for the Majority of Criminal Justice and Public Safety. This bill aims to give the families of wanted unborn children an avenue for justice when the unborn child is killed by the criminal or negligent actions of a third party. There is a string of tragic events in NH that have left families searching for justice. This bill will give the families that avenue. This bill fulfills the request of the state supreme court spelled out in the NH v Lamy case handed down April 9, 2009, when they overturned the negligent homicide conviction of Joshua Lamy in the death of Dominick Emmons. Part of the ruling stated that if the NH legislature finds the ruling in this case unfortunate as the court does they should revisit the homicide statutes in regards to a fetus like many other states have done. Thirty-eight other states have similar laws to the one proposed in HB 560. Twenty-three of these states start at conception making this proposed law in the middle ground. The 8-week point of protection centers on the women's choice it is also the point of pregnancy when miscarriages drops off dramatically. Expectant mothers are exempted from prosecution under this statute. Abortion is not affected by the proposed law as the abortion choice is also exempted under the bill. All challenges to fetal homicide laws have been denied as long as the law contained this exemption and in fact, fetal homicide laws have been in existence since California passed the first in the early 1970s. There is also language in the bill to protect families that require in vitro fertilization to complete their families. This bill will do away with the antiquated born alive rule formed in the 1900s and bring NH into the mainstream in regards to fetal homicide. Vote 10-7.
Rep. Laura C. Pantelakos for the Minority of Criminal Justice and Public Safety. While the minority certainly understands the desire to find justice for crimes that result in devastating effects for women and their families, we believe that this bill as written is not the answer. Current New Hampshire assault laws already have enhanced penalties for injuries that result in the death or stillbirth of a fetus. Last session we addressed a similar bill (1503) and it passed with an amendment. However this session, HB 560 as written, again creates a contradiction in one of the frameworks underpinning the Roe v. Wade Supreme Court decision by establishing fetal rights separate from the woman's rights. Similar fetal homicide bills elsewhere have resulted in pregnant women being arrested for harm to their fetuses. To address this problem in HB 560, we will present and recommend an amendment that passed the house in the last session. We believe now, as a majority of members did then, that the amendment strikes a meaningful compromise. We ask members to support it as they have in the past.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Weber offered minority committee amendment (0759h)

Minority Amendment (0759h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the penalties for negligent homicide and manslaughter causing a miscarriage or stillbirth and relative to miscarriage or stillbirth in second degree murder cases.

Amend the bill by replacing all after the enacting clause with the following:

1 Homicide; Manslaughter. Amend RSA 630:2 to read as follows:

630:2 Manslaughter.

I. A person is guilty of manslaughter when he ***or she*** causes the death of another:

(a) Under the influence of extreme mental or emotional disturbance caused by extreme provocation but which would otherwise constitute murder; or

(b) Recklessly.

II.***(a)*** Manslaughter shall be punishable by imprisonment for a term of not more than 30 years.

(b) Manslaughter which causes a miscarriage or stillbirth, as defined in RSA 631:1, II(a) and (b), shall be punishable by imprisonment for a term of not more than 60 years.

III. In addition to any other penalty imposed, if the death of another person resulted from the driving of a motor vehicle, the court may revoke the license or driving privilege of the convicted person indefinitely.

2 Homicide; Negligent Homicide. Amend RSA 630:3 to read as follows:

630:3 Negligent Homicide.

I. A person is guilty of a class B felony when he ***or she*** causes the death of another negligently. ***A person convicted of class B felony negligent homicide which causes a miscarriage or stillbirth, as defined in RSA 631:1, II(a) and (b), shall be punished by imprisonment for a term of not more than 14 years.***

II. A person is guilty of a class A felony when in consequence of being under the influence of intoxicating liquor or a controlled drug or any combination of intoxicating liquor and controlled drug while operating a propelled vehicle, as defined in RSA 637:9, III or a boat as defined in RSA 265-A:1, II, he or she causes the death of another. ***A person convicted of class A felony negligent homicide which causes a miscarriage or stillbirth, as defined in RSA 631:1, II(a) and (b), shall be punished by imprisonment for a term of not more than 25 years.***

III. In addition to any other penalty imposed, if the death of another person resulted from the negligent driving of a motor vehicle, the court may revoke the license or driving privilege of the convicted person for up to 7 years. In cases where the person is convicted under paragraph II, the court shall revoke the license or driving privilege of the convicted person indefinitely and the person shall not petition for eligibility to reapply for a driver's license for at least 7 years. In a case in which alcohol was involved, the court may also require that the convicted person shall not have a license to drive reinstated until after the division of motor vehicles receives certification of installation of an ignition interlock device as described in RSA 265-A:36, which shall remain in place for a period not to exceed 5 years.

3 Homicide; Second Degree Murder. Amend RSA 630:1-b to read as follows:

630:1-b Second Degree Murder.

I. A person is guilty of murder in the second degree if:

(a) He ***or she*** knowingly causes the death of another; or

(b) He ***or she*** causes such death recklessly under circumstances manifesting an extreme indifference to the value of human life. Such recklessness and indifference are presumed if the actor causes the death by the use of a deadly weapon in the commission of, or in an attempt to commit, or in immediate flight after committing or attempting to commit any class A felony.

II. Murder in the second degree shall be punishable by imprisonment for life or for such term as the court may order.

III. In cases where a person is convicted of murder in the second degree which causes a miscarriage or stillbirth, as defined in RSA 631:1, II(a) and (b), the judge shall explicitly state for the record that he or she considered the miscarriage or stillbirth as a factor in pronouncing sentence and shall explain what effect, if any, the miscarriage or stillbirth had in determining the sentence imposed.

4 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill adds an enhanced term of imprisonment for manslaughter or negligent homicide causing a miscarriage or stillbirth. The bill also requires that in second degree murder convictions, the judge shall state for the record that he or she considered the miscarriage or stillbirth as a factor in pronouncing sentence and shall explain what effect, if any, the miscarriage or stillbirth had in determining the sentence.

Reps. Weber and Rosenwald spoke in favor.

Rep. Richardson spoke against.

Rep. Rideout spoke against and requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 190

YEAS - 168

BELKNAP

Hurt, George	Spanos, Peter	Vadney, Herbert	Varney, Peter

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Halstead, Carolyn
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Russell
Peterson, Ken
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Cushing, Robert
DiFranco, Debbie
Elliott, Robert
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
Major, Norman
Manning, John
McBeath, Rebecca
McMahon, Charles
Milz, David
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
O'Hearne, Andrew
Schmidt, Andrew

NAYS - 190

BELKNAP

Aldrich, Glen
Comtois, Guy
Dumais, Russell
Fields, Dennis
Fraser, Valerie
Gallagher, Brian
LeBreche, Shari
Luther, Robert
Tilton, Franklin

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christie, Rick
Danielson, David
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Pierce, David
Proulx, Mark
Rice, Kimberly
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Wolf, Terry

MERRIMACK

Brewster, Michael
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John

Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Berube, Roger
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Stevens, Audrey
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

and the minority committee amendment (0759h) failed.
Rep. Booras voted Yea and intended to vote Nay.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Hirsch spoke against.
Reps. Rideout, Jones and Notter spoke against.
Rep. Rideout requested a roll call; sufficiently seconded.

YEAS 208 - NAYS 155

YEAS - 208

BELKNAP

Aldrich, Glen
Comtois, Guy
Dumais, Russell
Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Tilton, Franklin
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Emerson, Susan
McConnell, Jim
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Herbert, Christopher
Hinch, Richard
Hogan, Edith

Hopper, Gary	Infantine, William	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Scontsas, Lisa	Seidel, Carl	Silva, Peter
Simmons, Tammy	Smith, Gregory	Smith, Timothy	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Wolf, Terry		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Patten, Dick	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	DeSimone, Debra	Devine, James	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Friel, William	Gannon, William	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
Major, Norman	Manning, John	Matthews, Carolyn	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth
Schroadter, Adam	Spillane, James	Sytek, John	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Beaudoin, Steven	Berube, Roger	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Gagnon, Raymond	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 155

BELKNAP

Vadney, Herbert

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Ley, Douglas
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Belanger, James	Booras, Efstathia
Bouldin, Amanda	Brown, Pamela	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Harvey, Suzanne	Heath, Mary	Jack, Martin
Kurk, Neal	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Ober, Russell	Peterson, Ken	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	McKinney, Betsy
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 592-FN, relative to vulnerable users of highways. **INEXPEDIENT TO LEGISLATE.** Rep. John F. Martin for Criminal Justice and Public Safety. This bill seeks to increase the penalty for an unintended act from a class A misdemeanor to a class B felony. It creates yet another special class of victim and specifically intends to threaten to punish an unintended act with a possible state prison sentence. Other statutes already address unlawful operation of a vehicle or vessel, and this bill adds nothing except another enhanced penalty. Vote 10-7.
Committee report adopted.

HB 597-FN, relative to penalties for indecent exposure and lewdness. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John E. Tholl for Criminal Justice and Public Safety. The bill, as amended, brings the act of fornicating, exposing his or her genitals, or performing any other act of gross lewdness to a child under 16 for the purpose of sexual gratification or sexual arousal from a misdemeanor to the same level as sending a photograph depicting those same events, which is currently a class B felony. Vote 16-0.

Amendment (0313h)

Amend RSA 645:1, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) ***Such person, with the intent to cause sexual gratification or arousal, purposely fornicates, exposes his or her genitals, or performs any other act of gross lewdness in the presence of a child who is less than 16 years of age.***

AMENDED ANALYSIS

This bill increases the criminal penalty for purposely, with the intent to cause sexual gratification or arousal, fornicating, exposing his or her genitals, or performing any other act of gross lewdness while in the presence of a child less than 16 years of age from a misdemeanor to a class B felony.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 618-FN, relative to penalties for the possession of marijuana and relative to the cultivation of marijuana plants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety. This bill reforms NH marijuana laws to make possession of a small amount of marijuana a violation, subject to a fine, instead of a misdemeanor crime subject to jail and a criminal record. It is similar to the steps taken by 19 other states, including all other New England states, to decriminalize marijuana possession, and HB 618 is similar to decriminalization legislation that has been passed by the house 5 times since 2008. This bill does not endorse the use of marijuana, nor ignore the problems that can be associated with its use. The committee amended the bill to reduce from one ounce to one half ounce the amount of marijuana one could possess without being subject to misdemeanor arrest, include escalating fines for repeat violations of the law and maintain the current law outlawing possession of marijuana plants. This bill seeks to stop making criminals out of citizens by placing our marijuana laws more in line with voter opinion, the New Hampshire constitution, and common sense. Vote 12-3.

Amendment (0699h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to penalties for the possession of marijuana.

Amend RSA 318-B:2-c, I as inserted by section 1 of the bill by replacing it with the following:

I. Except as provided in RSA 126-X, any person possessing 1/2 ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph III.

Amend RSA 318-B:2-c, III(a) as inserted by section 1 of the bill by replacing it with the following:

III.(a) Any person 18 years of age or older who is convicted of violating paragraph I or II shall be subject to a fine of $100 for a first offense, a fine of $200 for a second offense under this subparagraph, and a fine of $500 for a third or subsequent offense under this subparagraph, and shall forfeit the marijuana or hashish to the state.

Amend RSA 318-B:2-c, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) No record of a violation of this section shall be recorded in any publicly available database of criminal offenders.

Amend RSA 318-B:2-c, VI(a) and (b) as inserted by section 1 of the bill by replacing it with the following:

(a) Except as specifically provided in RSA 263:56-b, III and IV, neither the state nor any of its political subdivisions shall impose any form of penalty on a person for possessing 1/2 ounce or less of marijuana, 5 grams or less of hashish, or paraphernalia for marijuana use, nor shall any penalties or obligations exceeding those outlined in RSA 263:56-b, III or IV be imposed by the state nor any of its political subdivisions solely for having cannabinoids or cannabinoid metabolites in the urine, blood, sweat, hair, fingernails, toenails, or other tissue or fluid of the human body.

(b) Possession of 1/2 ounce or less of marijuana, possession of 5 grams or less of hashish, possession of paraphernalia for marijuana use, or the presence of cannabinoids or cannabinoid metabolites in the urine, blood, sweat, hair, fingernails, toenails, or other tissue or fluid of the human body shall not constitute grounds for denying a person student financial aid, public housing, or any form of public financial assistance including unemployment benefits, or denying a person the right to operate a motor vehicle, or disqualifying a person from serving as a foster parent or adoptive parent.
Amend RSA 318-B:26, I as inserted by section 2 of the bill by deleting RSA 318-B:26, I(e)

AMENDED ANALYSIS

This bill reduces the penalty for possession of one ounce or less of marijuana to a violation, and reduces the penalty for possession of other amounts of marijuana.
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Gannon spoke against.
Rep. Schroadter spoke in favor.
Rep. Edwards requested a roll call; sufficiently seconded.

YEAS 297 - NAYS 67

YEAS - 297

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Fraser, Valerie
Howard, Jr., Raymond	LeBreche, Shari	Sylvia, Michael	Vadney, Herbert

CARROLL

Avellani, Lino	Butler, Edward	Comeau, Ed	Schmidt, Stephen
Ticehurst, Susan	Wright, Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	McConnell, Jim
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Beaulieu, Jane	Belanger, James	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Freitas, Mary	Fromuth, Bart	Gagne, Larry
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Goulette, William	Griffin, Barbara	Guerette, C. Lee	Halstead, Carolyn
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Jack, Martin

Kurk, Neal
Long, Patrick
McCarthy, Peggy
Moore, Josh
O'Brien, William
Ohm, Bill
Rice, Kimberly
Rowe, Robert
Shattuck, Gilman
Snow, Kendall
Straight, Phillip
Takesian, Charlene
Williams, Kermit
Lachance, Joseph
Mangipudi, Latha
McClarren, Donald
Murotake, David
O'Neil, William
Parison, James
Roberts, Carol
Sanborn, Laurie
Simmons, Tammy
Soucy, Timothy
Sullivan, Daniel
Twombly, Timothy
Wolf, Terry
LeBrun, Donald
Manley, Jonathan
McLean, Mark
Murphy, Keith
Ober, Lynne
Peterson, Ken
Rosenwald, Cindy
Schleien, Eric
Smith, Gregory
Souza, Kathleen
Sullivan, Victoria
Vann, Ivy
Woodbury, David
Leishman, Peter
Marston, Dick
McNamara, Richard
O'Brien, Michael
Ober, Russell
Porter, Marjorie
Rouillard, Claire
Scontsas, Lisa
Smith, Timothy
Stepanek, Stephen
Sweeney, Shawn
Walsh, Robert
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Frazer, June
Henle, Paul
Karrick, David
Long, Douglas
McGuire, Dan
Patten, Dick
Seaworth, Brian
Walsh, Thomas
Bartlett, Christy
Deloge, Helen
French, Barbara
Hirsch, Geoffrey
Kenison, Linda
MacKay, James
Moffett, Howard
Ratzki, Mario
Shurtleff, Stephen
Wheeler, Deborah
Bradley, Paula
Doherty, David
French, Harold
Hoell, J.R.
Kidder, David
Marple, Richard
Myler, Mel
Rice, Harold (Chip)
Turcotte, Alan
Brewster, Michael
Ebel, Karen
Gile, Mary
Horn, Werner
Kuch, Bill
McGuire, Carol
Parent, Jason
Saunderson, George
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Cahill, Michael
Christie, Andrew
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Major, Norman
Nigrello, Robert
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris
Ward, Joanne
Woitkun, Steven
Abramson, Max
Belanger, Ronald
Cali-Pitts, Jacqueline
Cushing, Robert
Elliott, Robert
Francese, Paula
Hagan, Joseph
Katsakiores, Phyllis
McBeath, Rebecca
O'Connor, John
Schroadter, Adam
Sytek, John
Tucker, Pamela
Webb, James
Wood, David
Azarian, Gary
Berrien, Skip
Cardon, G. Thomas
DiFranco, Debbie
Emerick, J. Tracy
Friel, William
Heffron, Frank
Kellogg, Shem
McKinney, Betsy
Pantelakos, Laura
Sherman, Thomas
Tasker, Kyle
Vose, Michael
Welch, David
Baldasaro, Alfred
Borden, David
Chirichiello, Brian
Doucette, Fred
Ferrante, Beverly
Gordon, Pamela
Introne, Robert
Lovejoy, Patricia
Milz, David
Potucek, John
Simpson, Alexis
Thomas, Douglas
Ward, Gerald
Weyler, Kenneth

STRAFFORD

Baber, William
Bixby, Peter
DiSesa, Len
Jones, Laura
Pitre, Joseph
Southworth, Thomas
Turcotte, Leonard
Whitehouse, Joshua
Beaudoin, Steven
Burton, Wayne
Gray, James
Kaczynski, Jr., Thomas
Rollo, Deanna
Spang, Judith
Verschueren, James
Wuelper, Kurt
Berube, Roger
Cheney, Catherine
Hannon, Joseph
Kaen, Naida
Schmidt, Peter
Stevens, Audrey
Wall, Janet
Bickford, David
Cilley, Jacalyn
Horrigan, Timothy
Knowles, Robert
Smith, Marjorie
Treleaven, Susan
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
O'Hearne, Andrew
Cloutier, John
Grenier, James
Oxenham, Lee
Converse, Larry
Irwin, Virginia
Rollins, Skip
Gagnon, Raymond
Laware, Thomas
Schmidt, Andrew

NAYS - 67

BELKNAP

Dumais, Russell
Fields, Dennis
Gallagher, Brian
Hurt, George
Luther, Robert
Spanos, Peter
Tilton, Franklin
Varney, Peter

CARROLL

Chandler, Gene
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold

CHESHIRE

Emerson, Susan
Hunt, John
Parkhurst, Henry

COOS

Tholl, John

GRAFTON

Brown, Duane
Ladd, Rick

HILLSBOROUGH

Biggie, Barbara
Boehm, Ralph
Forest, Armand
Gargasz, Carolyn
Gonzalez, Carlos
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Martel, Andre
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Proulx, Mark
Seidel, Carl
Silva, Peter

MERRIMACK

Hess, David
Hill, Gregory
Kotowski, Frank
Martin, John
Rogers, Katherine
Schuett, Dianne

ROCKINGHAM

Allen, Mary
Bates, David
Chase, Francis
Cook, Allen
DeSimone, Debra
Devine, James
Gannon, William
Gordon, Richard
Griffin, Mary
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Kappler, Lawrence
Kolodziej, Walter
Manning, John
Matthews, Carolyn
McMahon, Charles
Packard, Sherman
Rice, Frederick
Sanders, Elisabeth

STRAFFORD

Groen, Warren
Leeman, Don
Mullen, John
Sprague, Dale

SULLIVAN

Smith, Steven

and the committee report was adopted and ordered to third reading.

HB 647-FN, exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions. **INEXPEDIENT TO LEGISLATE.** Rep. David A. Welch for Criminal Justice and Public Safety. The bill would have removed the assault on an EMT, a paid fire fighter, a volunteer firefighter, an on call firefighter, a licensed emergency medical care provider, and a police officer from the extended term of imprisonment statute. While the bill had some merit dealing with annulment, the committee felt that it would be inappropriate to pass the bill as written. A co-sponsor who is a committee member concurred. Vote 11-6.

LAID ON THE TABLE

Rep. Welch moved that **HB 647-FN,** exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 648-FN, requiring detention under arraignment for persons arrested for violation of protective orders and increasing the fee for bail commissioners. **OUGHT TO PASS WITH AMENDMENT.** Rep. Laura C. Pantelakos for Criminal Justice and Public Safety. This bill requires detention until arraignment for persons arrested for a violation of a domestic violence order issued by a bail commissioner. The change addresses a discrepancy in the law between orders issued by a bail commissioner and the court. It brings the two practices in line. The amendment deletes the section of the bill, which would have increased the bail commissioner fee from $40.00 to $60.00. Vote 15-0.

Amendment (0616h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring detention until arraignment for persons arrested for violation of protective orders.

Amend the bill by deleting section 4 and renumbering the original section 5 to read as 4.

AMENDED ANALYSIS

This bill requires detention until arraignment for persons arrested for violation of a domestic violence or stalking protective order.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

On a division vote, 255 members having voted in the affirmative and 99 in the negative, the committee report was adopted and ordered to third reading.

HB 650-FN, requiring background checks for commercial firearms sales. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John A. Burt for the Majority of Criminal Justice and Public Safety. The bill requires that every firearm transaction go through a licensed dealer. Opponents of the bill pointed out that the language used in the definitions section is both broad and ambiguous and there is a real possibility that law abiding citizens would be turned into criminals. Enforcement of the current laws on the books should be a priority over creating new laws. The bill fundamentally changes the burden of proof to the individual as opposed to the state-a shift in our standards of jurisprudence. The majority of the committee believes that this bill would create more issues than it would solve and therefore opposed passage of this legislation. Vote 10-6.

Rep. Len DiSesa for the Minority of Criminal Justice and Public Safety. This bill will close the loophole for any firearms purchase between a seller and a buyer that is advertised commercially, requiring the seller to engage a federally licensed firearms dealer so that a national instant criminal background check, known as NICS, can be initiated. This is the standard currently in use for all commercial firearms purchases at gun shops, gun shows, and for purchases made from reputable dealers on-line using the internet. HB 650-FN would not require any sale that is non-commercial in nature, a private sale, a transfer or an exchange of a firearm between individuals provided that neither party to the transaction is a prohibited person (i.e., a convicted felon, a domestic abuser, or anyone who is prohibited from owning or possessing a firearm under 18 U.S.C. section 922(d) or pursuant to state law). This bill is a common sense approach to protecting the community while not impeding a law abiding citizen's rights under the Second Amendment. Since 1998, New Hampshire has conducted well over 1 million background checks through NICS. In most cases, the NICS check is completed in a few minutes, and with over 300 million firearms in the United States – and that number is growing each year – conducting background checks for all commercial purchases is a common sense approach to sensible firearms safety. According to F.B.I. statistics, NICS is customarily available 17 hours a day, seven days a week, including holidays except Christmas. Nationally since mandatory backgrounds checks became law in 1998; more than 1,000,000 disqualified persons have been prevented from owning or possessing a firearm. Polls have indicated an overwhelming majority of New Hampshire residents, New Hampshire gun owners, and NRA members favor background checks for firearms purchases, and HB 650-FN is supported by the New Hampshire department of safety.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. DiSesa and Rogers spoke against.

Rep. Burt spoke in favor.

Rep. Hoell spoke in favor and yielded to questions.

Rep. Rogers requested a roll call; sufficiently seconded.

YEAS 236 - NAYS 124

YEAS - 236

BELKNAP

Aldrich, Glen
Comtois, Guy
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Eaton, Daniel
Emerson, Susan
Hunt, John
McConnell, Jim
Parkhurst, Henry
Roberts, Kris
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
Frazer, June
French, Barbara
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Patten, Dick
Rice, Harold (Chip)
Seaworth, Brian
Turcotte, Alan
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Berube, Roger
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Converse, Larry
Grenier, James
Laware, Thomas
O'Hearne, Andrew
Rollins, Skip
Smith, Steven

NAYS - 124

CARROLL

Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Ley, Douglas
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
Freitas, Mary
Gidge, Kenneth
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
Pierce, David
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kidder, David
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Christie, Andrew	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Verschueren, James	Wall, Janet
Ward, Kenneth			

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted.
Rep. Timothy Smith declared a conflict of interest and did not participate.
Rep. Barbara French voted Yea and intended to vote Nay.

HB 653-FN, prohibiting the use of sex offender registry information for the purpose of harassing, intimidating, or threatening a registered sexual offender or offender against children, or any family member, employer or landlord of such person. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. John F. Martin for the Majority of Criminal Justice and Public Safety. This bill creates a special class of victims for offenses already covered by other statutes. Prohibiting the use of the sex offender registry is not enforceable as written, as there are multiple registries, state and federal, located online. Additionally the cost to upgrade the DOS website would run into tens of thousands of dollars. Vote 10-6.
Rep. Dick Marston for the Minority of Criminal Justice and Public Safety. This bill prohibits the use of sex offender registry information found on the department of safety's website for the purpose of harassing, intimidating, or threatening a registered sex offender or offender against children, or any family member, employer, or landlord of such person. The department would be required to post on the website a warning against such prohibited use of the website information and requiring users to acknowledge these prohibitions prior to accessing the website. There have been a number of instances where registered sex offenders have been harassed and even injured, and landlords pressured who have provided them with housing. Although this law would not be a panacea, it might at least make someone think twice before misusing the information in this way. We are not sure at this point what would be involved technically to facilitate acknowledgement of the warning before accessing the site but we assume it would be technically possible.
Majority committee report adopted.

HB 669-FN-L, requiring law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Arthur E. Barnes for the Majority of Criminal Justice and Public Safety. This bill would require municipal agencies to develop and submit reports on receipt of surplus military equipment, grants and tactical team deployment. After development, the report must be submitted to a number of different state agencies. The committee felt the cost of staff to comply, develop, copy and submit the reports created an Article 28-A conflict. Vote 11-4.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill adds Chapter 106-L and 106-L:2 and requires towns in receipt of equipment paid for through federal grants from: department of defense; homeland security; department of justice; office of national drug control policy and department of the treasury; to provide a report which would contain the outcomes caused by the use of federally granted equipment by law enforcement. The report would contain: ancillary cost associated with the use of such equipment; which law enforcement agency used the equipment; where the equipment was used; and the reason for deploying the equipment by law enforcement. The report would contain the type of warrant executed and if a no- knock provision was used; number of arrests made; contraband or property seized. The report would show if an armored personnel carrier was used and why it was needed; firearm discharges; demographic makeup of the encountered; law enforcement injures or deaths. It also adds section 106-L:3 annotating the reporting format to be used. It has been argued that HB 669-FN places an undue financial burden upon the towns and their agencies; and it is an unfunded mandate which is unconstitutional, per 28-A. It is the minority opinion that this information is already compiled by law enforcement and is readily available and can easily be placed in a report, such as RSA 91:A provides. It is the minority opinion that the influx of federally granted equipment received by towns, without oversight to their use in civilian law enforcement, is a detriment. That the report will support the publics right to know how this specialized equipment is being used and its positive and negative effects on local communities.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Sylvia spoke against.
Rep. Barnes spoke in favor.
Rep. Fromuth requested a roll call; sufficiently seconded.

YEAS 245 - NAYS 110

YEAS - 245

BELKNAP

Dumais, Russell	Fields, Dennis	Fraser, Valerie	Gallagher, Brian
Luther, Robert	Spanos, Peter	Tilton, Franklin	Vadney, Herbert

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Sad, Tara	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Tholl, John	

GRAFTON

Almy, Susan	Brown, Duane	Cooney, Mary	Darrow, Stephen
Ford, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Ingbretson, Paul	Ladd, Rick	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles			

HILLSBOROUGH

Balcom, John	Barry, Richard	Beaulieu, Jane	Belanger, James
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick

Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
Moore, Josh
O'Brien, Michael
Ober, Lynne
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Twombly, Timothy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Harris, Jeffrey
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Sanders, Elisabeth
Schroadter, Adam
Sherman, Thomas
Sytek, John
Thomas, Douglas
True, Chris
Ward, Joanne
Webb, James
Welch, David
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Leeman, Don
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
O'Hearne, Andrew
Rollins, Skip
Smith, Steven

NAYS - 110

BELKNAP

Aldrich, Glen
Comtois, Guy
Fisher, Robert
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Sylvia, Michael
Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Wright, Ted

CHESHIRE

Ley, Douglas	McConnell, Jim	Robertson, Timothy	Shepardson, Marjorie

COOS

Fothergill, John	Theberge, Robert		

GRAFTON

Abel, Richard	Bailey, Brad	Bennett, Travis	Brown, Chris
Gionet, Edmond	Hull, Robert	Johnson, Eric	Maes, Kevin

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Bouldin, Amanda
Burt, John	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Goulette, William	Hansen, Peter	Hogan, Edith
Hopper, Gary	Lachance, Joseph	McLean, Mark	McNamara, Richard
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Russell	Ohm, Bill	Parison, James	Rice, Kimberly
Roberts, Carol	Schleien, Eric	Silva, Peter	Simmons, Tammy
Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn	Vann, Ivy
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Martin, John
McGuire, Carol	McGuire, Dan	Rogers, Katherine	Saunderson, George
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Borden, David	Francese, Paula	Gannon, William	Gordon, Richard
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Manning, John	McMahon, Charles	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Simpson, Alexis	Spillane, James
Tasker, Kyle	Tucker, Pamela	Vose, Michael	Ward, Gerald
Weyler, Kenneth			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Mullen, John	Turcotte, Leonard	Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Schmidt, Andrew			

and the majority committee report was adopted.

HB 685-FN, prohibiting a state agency, state employee, or political subdivision from enforcing any federal law regarding a firearm, firearm accessory, or ammunition. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Geoffrey D. Hirsch for the Majority of Criminal Justice and Public Safety. Come January of 2016, should local police face criminal prosecution for assisting federal agents in controlling weapons and ammunition during a drug bust or terrorist action? In May of 2016, can local marine patrol assist the coast guard in a drug or human trafficking incident that involves firearms without facing criminal charges? HB 685-FN creates such criminal charges against local law enforcement. The bill is fundamentally problematic by stating that only laws adopted after the effective date of the bill will apply. This will lead to dangerous confusion as time passes and new federal laws are implemented or old laws revised. At critical moments, do we want local law enforcement wondering which federal laws can or cannot be enforced? HB 685 is attempting to solve a problem that does

not exist. It does hold the potential for many unintended consequences both in the area of public safety and in the performance of our local and state law enforcement. Assuming that any law or group of laws has reached an arbitrary ceiling beyond which one must not go is not just bad public policy; it is a disservice to the evolving needs of its citizenry. Vote 12-5.
Rep. John A. Burt for the Minority of Criminal Justice and Public Safety. This bill prohibits, with penalties, the use of state or local government resources to enforce future federal statutes in the area of firearms. This bill relies upon Article 7 of the NH Constitution, the 10th amendment to the US Constitution and recent US Supreme court cases like the 1997 case, Printz v. US, in which Justice Scalia held: "the federal government may neither issue directives requiring the states to address particular problems, nor command the states' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program." The minority believed that passage of this bill is an important first step to establishing a proper balance between what the state should pay for the enforcement of and what the federal government should pay for the enforcement of.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Tholl spoke in favor.
Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 234 - NAYS 119

YEAS - 234

BELKNAP

Fields, Dennis	Hurt, George	Spanos, Peter	Tilton, Franklin
Varney, Peter			

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tilton, Benjamin	Weber, Lucy	

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Tholl, John		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Darrow, Stephen	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles		

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Belanger, James
Boehm, Ralph	Brown, Pamela	Byron, Frank	Christensen, Chris
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Griffin, Barbara	Haefner, Robert	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Infantine, William	Jack, Martin	Kurk, Neal	LeBrun, Donald
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
Martel, Andre	McNamara, Richard	O'Brien, Michael	O'Neil, William
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David

Porter, Marjorie
Rowe, Robert
Shattuck, Gilman
Soucy, Timothy
Takesian, Charlene
Williams, Kermit
Proulx, Mark
Sanborn, Laurie
Smith, Gregory
Souza, Kathleen
Twombly, Timothy
Woodbury, David
Roberts, Carol
Scontsas, Lisa
Smith, Timothy
Straight, Phillip
Vann, Ivy
Rouillard, Claire
Seidel, Carl
Snow, Kendall
Sullivan, Daniel
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Doherty, David
Henle, Paul
Kenison, Linda
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Wheeler, Deborah
Bradley, Paula
Ebel, Karen
Hess, David
Kidder, David
Myler, Mel
Rogers, Katherine
Turcotte, Alan
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Deloge, Helen
Gile, Mary
Karrick, David
MacKay, James
Ratzki, Mario
Schuett, Dianne
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
DeSimone, Debra
Elliott, Robert
Francese, Paula
Guthrie, Joseph
Lovejoy, Patricia
McBeath, Rebecca
Nigrello, Robert
Rice, Frederick
Sytek, John
Woitkun, Steven
Allen, Mary
Borden, David
Chase, Francis
Devine, James
Emerick, J. Tracy
Friel, William
Heffron, Frank
Major, Norman
McKinney, Betsy
Packard, Sherman
Sanders, Elisabeth
Ward, Gerald
Barnes, Arthur
Cahill, Michael
Christie, Andrew
DiFranco, Debbie
Ferrante, Beverly
Gordon, Pamela
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Pantelakos, Laura
Sherman, Thomas
Webb, James
Belanger, Ronald
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Fesh, Robert
Griffin, Mary
Introne, Robert
Matthews, Carolyn
Milz, David
Prudhomme-O'Brien, Katherine
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William
Cilley, Jacalyn
Jones, Laura
Rollo, Deanna
Spang, Judith
Verschueren, James
Bickford, David
DiSesa, Len
Kaen, Naida
Schmidt, Peter
Sprague, Dale
Wall, Janet
Bixby, Peter
Gray, James
Leeman, Don
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth
Burton, Wayne
Horrigan, Timothy
Pitre, Joseph
Southworth, Thomas
Treleaven, Susan

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Oxenham, Lee
Cloutier, John
Grenier, James
Schmidt, Andrew
Converse, Larry
Irwin, Virginia
Smith, Steven
Gagnon, Raymond
O'Hearne, Andrew

NAYS - 119

BELKNAP

Aldrich, Glen
Fraser, Valerie
Luther, Robert
Comtois, Guy
Gallagher, Brian
Sylvia, Michael
Dumais, Russell
Howard, Jr., Raymond
Vadney, Herbert
Fisher, Robert
LeBreche, Shari

CARROLL

Avellani, Lino
McConkey, Mark
Comeau, Ed
Wright, Ted
Cordelli, Glenn
McCarthy, Frank

CHESHIRE

McConnell, Jim

COOS

Fothergill, John
Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Duane	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Barry, Richard	Biggie, Barbara
Bouldin, Amanda	Burt, John	Christie, Rick	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gonzalez, Carlos	Gould, Linda
Goulette, William	Halstead, Carolyn	Hogan, Edith	Lachance, Joseph
Marston, Dick	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Parison, James	Rice, Kimberly	Schleien, Eric	Silva, Peter
Simmons, Tammy	Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Azarian, Gary	Baldasaro, Alfred	Bates, David
Chirichiello, Brian	Cook, Allen	Duarte, Joe	Gannon, William
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
O'Connor, John	Potucek, John	Schroadter, Adam	Spillane, James
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Weyler, Kenneth	Wood, David

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Groen, Warren	Hannon, Joseph
Kaczynski, Jr., Thomas	Knowles, Robert	Mullen, John	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Laware, Thomas	Rollins, Skip

and the majority committee report was adopted.

HB 124, relative to the implementation of new college and career readiness standards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. This bill, as amended, requires that the state board of education conduct public hearings regarding proposed standards, one in each executive council district. This bill does not apply to common core state standards. The bill further requires a complete evaluation of the proposed standard(s) to be provided by the legislature. The majority believes it is better to be open, communicate and have thorough debate on standards before, rather than after and option. This bill is about an open, transparent adoption process. Vote 16-5.

Amendment (0326h)

Amend RSA 186:11, XXXVII as inserted by section 1 of the bill by replacing it with the following:

XXXVII. Implementation of College and Career Readiness Standards.

(a) The state board shall not adopt or implement new college and career readiness standards nor shall the state board direct the department of education to implement any additional standards until the state board, in consultation with the department, school districts, and chartered public schools, performs an evaluation of the new standards in comparison to current standards and other

nationally-recognized standards and provides the results of such evaluation to the same, and to the chairperson of the house and senate committees with primary jurisdiction over education and to the legislative oversight committee established in RSA 193-C:7.

(b) The state board shall hold a public hearing in each executive council district to present the department's proposed college and career readiness standards and shall take public testimony regarding the adoption of the proposed standards.

AMENDED ANALYSIS

This bill requires the state board of education to evaluate and report on any new college and career readiness standards, and prohibits the board from implementing any such new standards until the board conducts a public hearing in each executive council district.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 276, providing that school districts shall not be required to adopt the common core standards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick M. Ladd for the Majority of Education. In 2010, the state board of education adopted the common core state standards in math and language arts. In accordance with RSA 186:8, the state board of education shall adopt rules relative to minimum curriculum and educational standards for all grades of the public schools. The standards delineate what students should know and be able to do at each grade level. School districts desiring to adopt their own standards have been told by NH DOE that they are not required to participate in the common core state standards; however, districts must comply with statewide assessments that measure common core standards if the districts desire to receive Title I funding (elementary secondary education act). As amended, this bill provides a school board that elects not to implement, or participate in common core state standards, or any other minimum educational standards adopted by the state board pursuant to rules or adopted by the state board in any other fashion to adopt and implement standards of its own that either meet or exceed those of the state. This is truly an effort to preserve local control from the ever-encroaching federal department of education's controlling footprint. Vote 12-9.

Rep. Mary Heath for the Minority of Education. The minority believes HB 276 is unnecessary. Neither the NH department of education nor the NH state board of education mandate that local school districts adopt the common core. The commissioner of education has explained that it is not a requirement and does not impact any funding issues.

Majority Amendment (0474h)

Amend RSA 186:8, I as inserted by section 1 of the bill by replacing it with the following:

I. Minimum curriculum and educational standards for all grades of the public schools***; provided that the state board shall adopt no rule pursuant to RSA 541-A nor shall the state board formally or informally adopt a policy or guideline that requires a school district or any public school to implement or participate in the common core state standards. If a school board elects not to implement or participate in the common core state standards or any other minimum educational standards adopted by the state board pursuant to RSA 541-A or as adopted through state board policy or guidelines for all grades in public schools, the school board shall adopt and implement standards that meet or exceed those standards.***

AMENDED ANALYSIS

This bill prohibits the state board of education from adopting a rule requiring a school district or any public school to implement the common core state standards. The bill also requires a school board that elects not to implement or participate in the common core state standards or other minimum educational standards to adopt and implement educational standards that meet or exceed those standards.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Heath spoke against.

Rep. Ladd spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 225 - NAYS 130

YEAS - 225

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Parkhurst, Henry
Sterling, Franklin	Tilton, Benjamin		

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Massimilla, Linda	Shackett, Jeffrey	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Cohen, Alan	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Gonzalez, Carlos	Gould, Linda	Goulette, William	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Infantine, William	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Schleien, Eric	Scontsas, Lisa	Seidel, Carl	Silva, Peter
Simmons, Tammy	Smith, Gregory	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene
Twombly, Timothy	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	Ebel, Karen	French, Harold	Hess, David
Hill, Gregory	Hoell, J.R.	Horn, Werner	Kenison, Linda
Kidder, David	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Seaworth, Brian
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald

Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Friel, William	Gannon, William
Gordon, Richard	Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Sanders, Elisabeth	Schroadter, Adam	Spillane, James	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Gottling, Suzanne	Grenier, James	Laware, Thomas
Rollins, Skip	Smith, Steven		

NAYS - 130

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Jack, Martin	Leishman, Peter	Long, Patrick
Mangipudi, Latha	McNamara, Richard	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara

Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Ward, Gerald		

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Verschueren, James	Wall, Janet
Ward, Kenneth			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Irwin, Virginia
O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted and ordered to third reading.

HB 303, relative to statewide assessment standards and relative to parental consent for psychological services to students. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. James Verschueren for the Majority of Education. This bill consisted of two somewhat unrelated sections. Section I proposed additional criteria for the adoption of statewide educational improvement and assessment programs. Section II proposed that no psychological services shall be provided without written consent of the pupil's parent or legal guardian, except as ordered by a court. The majority vote in favor of ITL consisted of individuals opposed to one or the other, or both of the sections. Section I added language that was deemed confusing and/or duplicative of language already in statute. Section II was objected to more vigorously on multiple grounds. The language was ill-defined; parental rights are already protected by existing statute and the restriction proposed was of such severity that school personnel would be prevented from acting in the best interest of the child. Vote 12-9.

Rep. Victoria L. Sullivan for the Minority of Education. The minority believes that this bill defines the criteria that shall be used in the development of statewide assessments. This clarifies that the assessment will not be used to assess dispositions, attitudes and behaviors. This bill also adds the protection that no psychological services shall be provided without parental consent.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Victoria Sullivan spoke against.

Rep. Verschueren spoke in favor.

On a division vote, 166 members having voted in the affirmative and 169 in the negative, the majority committee report failed.

Rep. Hoell moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (0622h).

Minority Amendment (0622h)

Amend the bill by replacing section 1 with the following:

1 Statewide Educational Improvement and Assessment Program; Program Established. Amend RSA 193-C:3, III to read as follows:

III. The following criteria shall be used in the development of the program:

(a) Educational standards specifying what students should know and be able to do shall be clearly defined before assessment procedures and exercises are developed.

(b) The assessment exercises or tasks shall be valid and appropriate representations of the standards the students are expected to achieve.

(c) At each grade level assessed, the standards and expectations shall be the same for every New Hampshire student.

(d) Teachers shall be involved in designing and using the assessment system.

(e) Assessment frameworks and reports shall be understandable and widely disseminated to parents, teachers, administrators, other school personnel, school board members, teacher preparation programs, business people, government officials, and community members.

(f)***(1) Assessments shall be:***

(A) Valid, reliable, and objective.

(B) Appropriate for the cognitive, social-emotional, speech-language, fine motor, and gross motor development of the student.

(C) Used to measure content knowledge and skills.

(2) Assessments shall not be used to:

(A) Measure student dispositions, including student values, attitudes, or beliefs.

(B) Diagnose educational or behavioral disorders.

(g) The assessment system shall be subject to continuous review and improvement.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

YEAS 129 - NAYS 227

YEAS - 129

BELKNAP

Dumais, Russell	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Sylvia, Michael	Tilton, Franklin	

CARROLL

Avellani, Lino	Chandler, Gene	McCarthy, Frank	McConkey, Mark
Ticehurst, Susan			

CHESHIRE

Parkhurst, Henry	Phillips, Larry	Sterling, Franklin	Tilton, Benjamin

COOS

Rideout, Leon	Tholl, John		

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	Shackett, Jeffrey
Townsend, Charles			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Belanger, James	Biggie, Barbara
Boehm, Ralph	Bouldin, Amanda	Burt, John	Christensen, Chris
Christie, Rick	Donovan, Daniel	Eastman, Eric	Fromuth, Bart
Gonzalez, Carlos	Goulette, William	Haefner, Robert	Halstead, Carolyn
Hogan, Edith	Kurk, Neal	Lachance, Joseph	Marston, Dick
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Parison, James	Rowe, Robert	Seidel, Carl
Silva, Peter	Smith, Gregory	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sweeney, Shawn	Twombly, Timothy	Wolf, Terry

MERRIMACK

Bradley, Paula	Brewster, Michael	French, Harold	Henle, Paul
Hess, David	Hoell, J.R.	Horn, Werner	Kuch, Bill
Marple, Richard	McGuire, Carol	McGuire, Dan	Patten, Dick
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Devine, James	Duarte, Joe
Emerick, J. Tracy	Guthrie, Joseph	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter	Matthews, Carolyn
McKinney, Betsy	Milz, David	Packard, Sherman	Rice, Frederick
Schroadter, Adam	Spillane, James	Sytek, John	Tasker, Kyle
True, Chris	Tucker, Pamela	Vose, Michael	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	

STRAFFORD

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Mullen, John	Verschueren, James	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Grenier, James	Laware, Thomas	Rollins, Skip	Smith, Steven

NAYS - 227

BELKNAP

Aldrich, Glen	Comtois, Guy	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Hurt, George	Spanos, Peter	Vadney, Herbert
Varney, Peter			

CARROLL

Buco, Thomas	Butler, Edward	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
McConnell, Jim	Pearson, William	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Duane	Cooney, Mary	Ford, Susan	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Brown, Pamela	Byron, Frank	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	DiSilvestro, Linda
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Hansberry, Daniel	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Infantine, William
Jack, Martin	LeBrun, Donald	Leishman, Peter	Long, Patrick

Mangipudi, Latha	Manley, Jonathan	Martel, Andre	McClarren, Donald
McNamara, Richard	Murotake, David	O'Brien, Michael	O'Neil, William
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Rice, Kimberly	Roberts, Carol
Rosenwald, Cindy	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Shattuck, Gilman	Simmons, Tammy	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Sullivan, Victoria
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David	Zaricki, Nick		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Hill, Gregory	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	MacKay, James
Martin, John	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Azarian, Gary	Belanger, Ronald	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	Cushing, Robert
DeSimone, Debra	DiFranco, Debbie	Doucette, Fred	Elliott, Robert
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Gannon, William	Gordon, Pamela	Griffin, Mary	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Katsakiores, Phyllis
Lovejoy, Patricia	Major, Norman	Manning, John	McBeath, Rebecca
McMahon, Charles	Nigrello, Robert	O'Connor, John	Pantelakos, Laura
Potucek, John	Prudhomme-O'Brien, Katherine	Sanders, Elisabeth	Sherman, Thomas
Simpson, Alexis	Thomas, Douglas	Ward, Gerald	Ward, Joanne
Wood, David			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cheney, Catherine
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Pitre, Joseph	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Turcotte, Leonard	Wall, Janet	Ward, Kenneth

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the minority committee amendment failed.

LAID ON THE TABLE

Rep. Hinch moved that **HB 303,** relative to statewide assessment standards and relative to parental consent for psychological services to students, be laid on the table.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 230 - NAYS 127

YEAS - 230

BELKNAP

Fields, Dennis	Fraser, Valerie	Gallagher, Brian	Hurt, George
LeBreche, Shari	Varney, Peter		

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Crawford, Karel
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Ley, Douglas
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Tholl, John

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Ingbretson, Paul
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Seidel, Carl
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Twombly, Timothy
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Allen, Mary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred

Ferrante, Beverly	Francese, Paula	Gordon, Pamela	Guthrie, Joseph
Heffron, Frank	Hoelzel, Kathleen	Kolodziej, Walter	Lovejoy, Patricia
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	McMahon, Charles	Milz, David	Packard, Sherman
Pantelakos, Laura	Sanders, Elisabeth	Schroadter, Adam	Sherman, Thomas
Simpson, Alexis	Sytek, John	Ward, Gerald	Webb, James
Welch, David	Woitkun, Steven	Wood, David	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gray, James	Horrigan, Timothy
Kaen, Naida	Leeman, Don	Mullen, John	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Wuelper, Kurt		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Grenier, James
Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew	Smith, Steven		

NAYS - 127

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Howard, Jr., Raymond	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Nelson, Bill	Wright, Ted		

CHESHIRE

McConnell, Jim	Parkhurst, Henry		

COOS

Rideout, Leon			

GRAFTON

Brown, Duane	Darrow, Stephen	Hennessey, Erin	Hull, Robert
Johnson, Eric	Ladd, Rick	Shackett, Jeffrey	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Belanger, James	Biggie, Barbara
Boehm, Ralph	Bouldin, Amanda	Burt, John	Christie, Rick
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Halstead, Carolyn	Hansen, Peter	Hogan, Edith
Infantine, William	Lachance, Joseph	Marston, Dick	Martel, Andre
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ohm, Bill	Parison, James	Pierce, David
Rice, Kimberly	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Silva, Peter	Simmons, Tammy	Souza, Kathleen
Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Cook, Allen	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Fesh, Robert	Friel, William	Gannon, William
Gordon, Richard	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Nigrello, Robert	O'Connor, John	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Weyler, Kenneth		

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Pitre, Joseph
Turcotte, Leonard	Ward, Kenneth	Whitehouse, Joshua	

SULLIVAN

Bridge, Ernest	Rollins, Skip

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 332, relative to school district policy regarding objectionable course material. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Victoria L. Sullivan for the Majority of Education. This bill requires parental notification no less than two weeks prior to the teaching of materials involving human sexuality, or human sexual education. This bill also requires said material be made available for parental/guardian review. This bill will also open communication between schools and parents, resulting in greater parental engagement and necessary conversations with their children regarding these sensitive issues. Vote 10-9.

Rep. Mary Heath for the Minority of Education. The minority believes the content of HB 332 currently exists within the NH minimum standards, which has set guidance in this area for local school districts.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Duane Brown spoke in favor.
Rep. Heath spoke against.
Rep. Victoria Sullivan spoke in favor and yielded to questions
Rep. Aldrich requested a roll call; sufficiently seconded.

YEAS 217 - NAYS 136

YEAS - 217

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Parkhurst, Henry
Sterling, Franklin	Tilton, Benjamin		

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Massimilla, Linda	Shackett, Jeffrey	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hinch, Richard	Hogan, Edith	Infantine, William	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Twombly, Timothy
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Barbara	French, Harold	Hess, David
Hill, Gregory	Hoell, J.R.	Horn, Werner	Karrick, David
Kidder, David	Kotowski, Frank	Kuch, Bill	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Patten, Dick
Ratzki, Mario	Seaworth, Brian	Turcotte, Alan	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Friel, William	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Kolodziej, Walter	Major, Norman	Manning, John
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Sytek, John
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Gagnon, Raymond	Grenier, James	Laware, Thomas
Rollins, Skip	Smith, Steven		

NAYS - 136

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Jack, Martin	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Sweeney, Shawn	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Kenison, Linda
MacKay, James	Moffett, Howard	Myler, Mel	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.

HB 519, establishing a committee to study department of education policies affecting dyslexic students. **OUGHT TO PASS.**
Rep. John L. Balcom for Education. It is the intent of the bill that this committee will study the condition of dyslexia within NH schools. The goal of this committee is to publish findings, which include successful intervention methods and effective corrective processes such as Orton-Gillingham. Vote 17-4.
Committee report adopted and ordered to third reading.

HB 520, establishing privacy protections for student online personal information. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Glenn Cordelli for the Majority of Education. This bill deals with data protection at the state level. This bill applies to local district use of online K-12 systems. It prohibits the system operators from using student data to develop advertising, or selling the information. It requires them to use reasonable security measures and remove information when requested. This bill is modeled after a California bill that passed their legislature unanimously. Vote 10-9.
Rep. Andrew R. Schmidt for the Minority of Education. While this bill is well intended, and there is a compelling need for student data privacy protection, this bill has serious shortcomings. It lacks enforcement mechanisms or penalties for resolutions. In fact, the bill fails to define who constitutes an aggrieved party. Finally, this is modeled on California legislation that has not been implemented, so we do not have the benefit of experience.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Andrew Schmidt spoke against.
Rep. Cordelli spoke in favor and yielded to questions.
On a division vote, 216 members having voted in the affirmative and 125 in the negative, the majority committee report was adopted and ordered to third reading.

HB 555, relative to participation of chartered public school students in school district co-curricular activities. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Glenn Cordelli for Education. This bill as, amended, provides public charter students with the right to participate in co-curricular activities in their resident districts. Current statutes already provide this opportunity to non-public and home school students. Vote 18-3.

Amendment (0696h)

Amend the bill by replacing section 1 with the following:

1 Public Chartered Schools; Access to Public School Programs. Amend RSA 193:1-c to read as follows:

193:1-c Access to Public School Programs by Nonpublic, ***Public Chartered Schools*** or Home Educated Pupils.

I. Nonpublic, ***public chartered school,*** or home educated pupils shall have access to curricular courses and cocurricular programs offered by the school district in which the pupil resides. The local school board may adopt a policy regulating participation in curricular courses and cocurricular programs, provided that such policy shall not be more restrictive for non-public, ***public chartered school,*** or home educated pupils than the policy governing the school district's resident pupils. In this section, "cocurricular" shall include those activities which are designed to supplement and enrich regular academic programs of study, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community. For purposes of allowing access as described in this section, a "home educated pupil" shall not include any pupil who has graduated from a high school level program of home education, or its equivalent, or has attained the age of 21.

II. Nothing in this section shall be construed to require a parent to establish a home education program which exceeds the requirements of RSA 193:1.

AMENDED ANALYSIS

This bill clarifies the ability of public chartered school pupils to participate in programs and co-curricular activities in their resident district.
Committee amendment adopted.
Committee report adopted and ordered to third reading.

HB 578, relative to state board of education compliance with unfunded federal education mandates. **WITHOUT RECOMMENDATION.** Vote 10-10.

Statement in support of Ought to Pass: Rep. Rick Ladd.

This bill identifies the ever-increasing federal footprint and resultant unfunded costs downshifted to state and local education. As in programs established in support of the Individual Disabilities Education Act (IDEA) federal mandates once promised at 40% are in reality 17%, leaving the difference to state and local tax-payers. This bill states that the state board shall not adopt rules that require a school district to comply with a federally mandated curriculum, method of instruction or statewide assessment program that is not fully paid by federal funds.

Statement in support of Inexpedient to Legislate: Rep. Mary Heath.

This bill has far reaching negative implications for the state and local school districts. It also counteracts existing RSA's and rules and seriously limits the capacity of the NH department of education to carry out the responsibilities assigned to them by the general court. This bill is not in the best interest of children and local school districts.

Rep. Cordelli moved Ought to Pass and spoke in favor.

Rep. Myler spoke against.

Rep. Cordelli requested a roll call; sufficiently seconded.

YEAS 204 - NAYS 136

YEAS - 204

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christie, Rick
Cohen, Alan	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Infantine, William	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony

Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
DeSimone, Debra
Devine, James
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Major, Norman
Manning, John
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Spillane, James
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Gagnon, Raymond
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 136

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Brown, Pamela	Christiansen, Lars
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Griffin, Barbara	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Jack, Martin	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	Williams, Kermit
Wolf, Terry	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Karrick, David	Kenison, Linda
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	Matthews, Carolyn	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Ward, Gerald		

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	DiSesa, Len
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee	Schmidt, Andrew		

and the motion of Ought to Pass was adopted and ordered to third reading.

HB 603, relative to student exemptions from assessments, questionnaires, or surveys. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Ralph G. Boehm for the Majority of Education. This bill gives parents the right to remove their child from taking the state annual assessment. Thus, reinforcing parental rights as to their control of what their children have access to. The amendment removes part of the bill that was passed earlier this session in HB 206. Other states are allowing parents to exempt their children from testing without any loss in federal funds. The number of students not taking the test should not statistically jeopardize any comparison with other schools. Vote 11-10.

Rep. Mary Stuart Gile for the Minority of Education. This bill requires school districts to adopt a policy allowing a student to be exempted without penalty from any assessment, questionnaire or survey based on the parent/guardian's determination that the material is questionable. The minority supports RSA 193-C:4, which requires the state board of education to adopt rules relative to RSA 541-A regarding student exemption from assessment programs. The minority is also concerned that the bill does not provide constructive alternative activities for students who are exempt. Doing nothing/punishment are not acceptable.

Majority Amendment (0661h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to student exemption from the statewide assessment.

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment; Assessment Required. Amend RSA 193-C:6 to read as follows:

193-C:6 Assessment Required. Each year, a statewide assessment shall be administered in all school districts in the state in grades 3 through 8 and one grade in high school. All public school students in the designated grades shall participate in the assessment, unless such student is exempted ***from taking the test by his or her parent or legal guardian***, or provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, allow [~~pupils~~] ***students*** to participate in that state's assessment program as an alternative to the assessment required under this chapter. Home educated students may contact their local school districts if they wish to participate in the statewide assessment. Private schools may contact the department of education to participate in the statewide assessment. ***A school district shall not penalize any student for being exempted from taking the statewide assessment by his or her parent or legal guardian, nor shall the department of education or the state board of education penalize any school district for a lower participation rate. A school district shall create a form to be signed by the parent or legal guardian of any student exempted from the assessment.***

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows a student to be exempted from taking the statewide assessment by the student's parent or legal guardian, without penalty to the student or the school district.

Rep. Ladd spoke against.

Majority committee amendment failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Boehm offered floor amendment (0758h).

Floor Amendment (0758h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to student exemption from the statewide assessment.

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment; Assessment Required. Amend RSA 193-C:6 to read as follows:

193-C:6 Assessment Required. Each year, a statewide assessment shall be administered in all school districts in the state in grades 3 through 8 and one grade in high school. All public school students in the designated grades shall participate in the assessment, unless such student is exempted ***from taking the test by his or her parent or legal guardian***, or provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, allow [~~pupils~~] ***students*** to participate in that state's assessment program as an alternative to the assessment required under this chapter. Home educated students may contact their local school districts if they wish to participate in the statewide assessment. Private schools may contact the department of education to participate in the statewide assessment. ***A school district shall not penalize any exempted student nor shall the department of education or the state board of education penalize any school district for a lower participation rate. A school district shall develop a form to be signed by the parent or legal guardian of any student exempted from the assessment. The school district shall provide an appropriate alternative educational activity for the time period during which the assessment is administered. The alternative activity shall be agreed upon by the school district and parent or legal guardian of the student.***

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill declares that a student exempted from taking the statewide assessment by the student's parent or legal guardian shall not be penalized. The bill also requires a school district to provide an appropriate alternative educational activity for the time period during which the assessment is administered.

Rep. Boehm spoke in favor.

Rep. Hoell spoke against.

Floor amendment (0758h) adopted.

Majority committee report adopted and ordered to third reading.

HB 112, relative to domicile for voting purposes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Adam R. Schroadter for the Majority of Election Law. This bill puts into statute the current guidelines used by the supervisors of the checklist when registering a person to vote. The guidelines are in the procedure manual used by election officials. Adding them to statute makes them more accessible to everyone. New Hampshire law technically requires documentary proof of citizenship, age, and domicile in order to register to vote. However, election officials are empowered to accept any kind of proof "deemed reasonable" by them to satisfy these criteria. Election officials and voter registrants alike are often uncertain what qualifies as domicile for voting purposes. This bill, as amended, identifies general qualifications that may be considered sufficient, such as where the person owns or rents property that they primarily live in, or enrollment and attendance at a college or university in New Hampshire. Vote 9-8.

Rep. Wayne M. Burton for the Minority of Election Law. This bill, as amended, encodes a partial list of factors in state law that might be considered by election officials in establishing a person's domicile for voting purposes. Five of the factors refer to how a person's residence is established by other statutes enacted for purposes other than voting. For voting eligibility purposes, current "domicile," not long-term residence is required by the NH Constitution. One of the factors listed in the amendment, for example, is demonstrating eligibility to procure a NH hunting or fishing license. Since both require that a person live in NH for two years, they are impermissible as criteria for establishing voter eligibility. Another example is possessing a NH driver's license, which requires that a person intends to remain in NH either permanently or indefinitely to qualify as a resident. Under the NH Constitution as interpreted by the courts, intent to remain in NH cannot be considered in determining a person's voting eligibility. Because the list of factors in the amended bill, if made a part of a statute, could be confused by election officials as requirements, the minority believes those factors, which are already included in the secretary of state's guidelines, are sufficient to inform election officials of determining a person's eligibility to vote. The current process has been well established and is working well. Therefore the minority of the Election Law Committee believes this bill is both unnecessary and potentially damaging to the integrity of our most precious right, that of casting our vote.

Majority Amendment (0066h)

Amend the bill by replacing section 1 with the following:

1 Voter Qualifications; Domicile. Amend RSA 654:1 to read as follows:

654:1 Voter; Office Holder.

I. Every inhabitant of the state, having a single established domicile for voting purposes, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled. An inhabitant's domicile for voting purposes is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government. A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.

II.(a) When determining a person's qualifications as a voter, the following factors may be considered as evidence of the person's domicile:

(1) The school district in which the person's residence is located.

(2) The address listed on the person's individual federal income tax return.

(3) The address designated by the person as his or her residence or homestead for purposes of state and local taxes.

(4) The place where the person spends the most nights of the year.

(5) The place where the person keeps his or her most valuable and precious possessions.

(6) The place that would be considered the person's residence for purposes of obtaining a driver's license.

(7) The place that would be considered the person's residence for purposes of applying for a passport or other federal identification.

(8) The place that would be considered the person's residence for purposes of eligibility for a resident hunting or fishing license.

(b) A person shall not be considered domiciled in this state if the person is temporarily absent from another state in a manner that would be consistent with RSA 654:2.

[~~I-a.~~] *III.* A student of any institution of learning may lawfully claim domicile for voting purposes in the New Hampshire town or city in which he or she lives while attending such institution of learning if such student's claim of domicile otherwise meets the requirements of RSA 654:1, I.

[~~II.~~] *IV.* Any elected or appointed official for whom one of the qualifications for his or her position is eligibility to be a voter in the area represented or served shall be considered to have resigned if the official moves his or her domicile so that he or she can no longer qualify to be a voter in the area represented or served. Any vacancy so created shall be filled as prescribed by law.

AMENDED ANALYSIS

This bill establishes factors to be considered in determining domicile for voting purposes.

Rep. Bates spoke against and yielded to questions.

Rep. Hoelzel spoke in favor.

Majority committee amendment failed.

LAID ON THE TABLE

Rep. Hoelzel moved that **HB 112,** relative to domicile for voting purposes, be laid on the table.

On a division vote, 254 members having voted in the affirmative and 85 in the negative, the motion was adopted.

MOTION TO REFER TO JUSTICES

Rep. Hoelzel moved that an opinion of the justices on the constitutionality of **HB 112,** relative to domicile for voting purposes, be requested.

On a division vote, 190 members having voted in the affirmative and 148 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 328, relative to delivery of absentee ballots. **OUGHT TO PASS.**

Rep. James P. Gray for Election Law. RSA 657:17 requires that voters mail their absentee ballots or "personally deliver it to the city of town clerk from whom it was sent." HB 328 will allow a spouse, parent, sibling or a child to deliver the ballot to the clerk. The committee took note that a ballot rejected by the clerk can be placed in a mailbox by the same person who presented it to the clerk and when it is delivered by the post office that ballot will be accepted. The majority of the committee believes that accepting ballots from the family members listed in the bill is appropriate and will not degrade the legitimacy of the absentee ballot process. Vote 12-6.

On a division vote, 206 members having voted in the affirmative and 129 in the negative, the committee report was adopted and ordered to third reading.

HB 373, establishing the red-tailed hawk as the New Hampshire state raptor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter W. Bixby for the Majority of Environment and Agriculture. This bill, brought at the request of 4th graders from Hampton Falls, would designate the red tailed hawk as the New Hampshire state raptor. Students noted that several of the bird's characteristics make it a good symbol for the state: adaptability, attentiveness to family, and strong, determined presence. While this raptor is not unique to our state, one great advantage is its familiarity. It is easy for our citizens to look up and spot this noble looking bird. Vote 10-8.

Rep. Christy D. Bartlett for the Minority of Environment and Agriculture. It's always tough to oppose a group of 4th graders who are counting on the committee to pass a bill they've presented. However, this bill split the committee as many of us didn't feel that NH needed another "state bird" even if this one is a raptor. Additionally, the red-tailed hawk is ubiquitous to the entire country and not unique to NH. If a state raptor is absolutely necessary, it should seem that a pick of the 5 species that are threatened or endangered might have been more deserving, if the intention is to draw attention. During a budget year when our energy and efforts should be directed elsewhere, it would seem that a more valuable educational lesson would be that not all bills are passed.

MOTION TO SPECIAL ORDER

Rep. Haefner moved that **HB 373,** establishing the red-tailed hawk as the New Hampshire state raptor, be made a Special Order as the first order of business for tomorrow, Thursday, March 12, 2015.

Rep. Haefner spoke in favor.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 609-FN, relative to hydraulic fracturing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Warren J. Groen for the Majority of Environment and Agriculture. This bill would ban hydraulic fracturing for gas and oil in New Hampshire and also ban the treatment of fracking waste at New Hampshire municipal waste treatment facilities, neither of which is done in New Hampshire today. Three hundred trillion years ago, when the granite features of New Hampshire were formed, the heat was so intense that all the petroleum deposits were vaporized. Therefore, there is no need to frack for something that doesn't exist here. Any businessman that tried to make a living hauling fracking waste to New Hampshire would go broke at the start and take his banker down with him. No sewage treatment system in New Hampshire would, or could legally, accept the untreated waste if it did arrive here. The Department of Environmental Services believes that the bill is not necessary because we will never frack for oil and gas, and because we already have regulations that would prevent fracking waste from entering our wastewater treatment facilities. The majority of the E&A committee agrees. Vote 12-6.

Rep. Christy D. Bartlett for the Minority of Environment and Agriculture. At this time, there is no evidence of oil shale or any other energy deposits in the Granite State that may require fracking to extract. Yet, energy industry lobbyists opposed this bill prohibiting fracking. In fact, there are significant concerns for NH stemming from fracking in other states. Testimony opposed to the bill concentrated on the remote possibility of drilling here. But this gives a false sense of security and ignores the impacts of fracking beyond the act of drilling. There are additional risks, and the bill addresses them by prohibiting the importation of wastewater and solid waste from fracking operations in other states. If brought to NH for treatment, these hazardous wastes have the potential to affect local groundwater and drinking water supplies. As other states act to control these risks, NH may become an economical option for fracking wastewater disposal. This bill would send the message that we do not want other states' hazardous wastes.

CLERK'S NOTE

Rep. Groen notified the Clerk that the blurb was written intentionally to reflect the age of the earth. The Clerk, for accuracy, is appending this note so that it is understood the writer of the blurb intended to use the arbitrary age he established, despite any accepted model by religious or scientific dogma.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Bartlett spoke against.
Rep. O'Connor spoke in favor.
Rep. Groen spoke in favor and yielded to questions.
Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 254 - NAYS 81

YEAS - 254

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Umberger, Karen
Wright, Ted			

CHESHIRE

Abbott, Michael	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Hunt, John	Ley, Douglas	McConnell, Jim
Roberts, Kris	Sad, Tara	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Tholl, John		

GRAFTON

Almy, Susan	Bailey, Brad	Brown, Chris	Cooney, Mary
Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Townsend, Charles

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christie, Rick
Cohen, Alan	Cornell, Patricia	Danielson, David	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Ferreira, Elizabeth	Forest, Armand
Fromuth, Bart	Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Goulette, William
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Infantine, William	Jack, Martin
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Long, Patrick	Marston, Dick	Martel, Andre	McCarthy, Peggy
McLean, Mark	McNamara, Richard	Moore, Josh	Murphy, Keith
Notter, Jeanine	O'Brien, Michael	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Porter, Marjorie
Proulx, Mark	Rice, Kimberly	Rosenwald, Cindy	Rouillard, Claire
Sanborn, Laurie	Schleien, Eric	Seidel, Carl	Shattuck, Gilman
Silva, Peter	Simmons, Tammy	Smith, Gregory	Soucy, Timothy
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Daniel
Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David
Zaricki, Nick			

MERRIMACK

Bradley, Paula	Brewster, Michael	Carson, Clyde	Ebel, Karen
French, Harold	Henle, Paul	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kenison, Linda	Kotowski, Frank	Kuch, Bill
Martin, John	McGuire, Carol	McGuire, Dan	Moffett, Howard
Rice, Harold (Chip)	Seaworth, Brian	Shurtleff, Stephen	Walsh, Thomas
Wheeler, Deborah			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Belanger, Ronald	Cardon, G. Thomas
Chase, Francis	Christie, Andrew	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Fesh, Robert	Francese, Paula	Friel, William	Gannon, William
Gordon, Richard	Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
Lovejoy, Patricia	Manning, John	Matthews, Carolyn	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sytek, John	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Bixby, Peter	Cheney, Catherine
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert	Leeman, Don
Mullen, John	Schmidt, Peter	Sprague, Dale	Treleaven, Susan
Turcotte, Leonard	Verschueren, James	Wall, Janet	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Converse, Larry	Grenier, James	Laware, Thomas
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

NAYS - 81

CARROLL

Ticehurst, Susan

CHESHIRE

Ames, Richard	Emerson, Susan	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Shepardson, Marjorie	Tilton, Benjamin

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne

GRAFTON

Abel, Richard	Bennett, Travis	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Smith, Suzanne	Sykes, George

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Estevez, Eric	Freitas, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Mangipudi, Latha
Manley, Jonathan	O'Neil, William	Roberts, Carol	Smith, Timothy
Snow, Kendall	Vann, Ivy		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Deloge, Helen	Doherty, David
Frazer, June	Gile, Mary	Karrick, David	MacKay, James
Myler, Mel	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Turcotte, Alan	Wallner, Mary Jane		

ROCKINGHAM

Barnes, Arthur	Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Gordon, Pamela	Heffron, Frank
McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Ward, Gerald	Woitkun, Steven		

STRAFFORD

Baber, William	Burton, Wayne	Cilley, Jacalyn	DiSesa, Len
Horrigan, Timothy	Rollo, Deanna	Smith, Marjorie	Southworth, Thomas
Stevens, Audrey	Ward, Kenneth		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Irwin, Virginia	O'Hearne, Andrew
Oxenham, Lee			

and the majority committee report was adopted.

QUESTION OF THE HOUSE

The Speaker, having planned on completing bills through the Committee on Executive Departments and Administration, put the question to the House on whether to stay and complete those bills or finish them tomorrow.

The question being shall the House stay and complete bills as planned by the Speaker?
On a division vote, 190 members having voted in the affirmative and 142 in the negative, the House stays.

REGULAR CALENDAR CONT'D

HB 660-FN, relative to small farms and farmstands. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS**
Rep. John T. O'Connor for the Majority of Environment and Agriculture. This bill will allow only small farms (defined in the bill as under $100,000 gross sales per year) to be exempt from all state and local building codes, environmental laws, labor laws, safety and health codes, federal meat inspection programs, or any other statute that may be related to small farms. The exemption includes the sale of non-inspected and potentially hazardous foods, which could then be sold at retail stores and restaurants. In addition, the bill requires that the Department of Agriculture, Markets and Food maintains documents on each individual farm to include types of foods and dollar values of every sale, barter and trade. The department stated that they are unsure what the bill would require of them. The majority of the committee is in agreement that we need to help the viability of small farms. To that end, we recently passed The Homestead Food Act, which exempted farmers with sales under $20,000 from licensing and inspection requirements for non-hazardous value-added products. E&A has three other bills in committee also aimed at reducing the regulations for small farmers. We feel that, due to the potential risks to public health and safety, this bill goes too far. Both the department and the farm bureau oppose the bill. Vote 14-4.
Rep. Warren J. Groen for the Minority of Environment and Agriculture. This bill was broad in its scope, but solid in its goals. The minority believes that a "retain" motion was in order so the bill could be analyzed and tweaked for the benefit of NH's small farmers. These farmers suffer under burdensome regulations that do not comport to our state's motto of "Live free or die."

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Comtois spoke against and yielded to questions.
Rep. O'Connor spoke in favor.
On a division vote, 202 members having voted in the affirmative and 85 in the negative, the majority committee report was adopted.

CACR 10, relating to term of office. Providing that beginning with the 2018 general election, there shall be a 4-year term of office for governor. **INEXPEDIENT TO LEGISLATE.**
Rep. J.R. Hoell for Executive Departments and Administration. This constitutional amendment would change the office of governor from a 2-year term to a 4-year term. The committee had concerns that additional money, which would be poured into our state for this high level race, would further degrade the very personal side of the NH elections. Further concerns expressed during the executive session were that the governor would be less responsive to the people as there was a longer period of time before they would be back in front of the citizens for a re-election campaign. The committee felt that this was a solution in search of a problem as only one governor was not re-elected over the last 20-year period. With the other state level offices serving a two-year term, the committee saw no need to change just the term of the governor. Lastly, unlike other states that have four year terms for the office of governor, there is no recall provision in either our statutes or in our constitution. Vote 9-5.

MOTION TO SPECIAL ORDER

Rep. Andrew Christie moved that **CACR 10,** relating to term of office. Providing that beginning with the 2018 general election, there shall be a 4-year term of office for governor, be made a Special Order to the end of the Regular Calendar.
Motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate.
Rep. Gagnon spoke against.
Rep. Hoell spoke in favor.
On a division vote, 208 members having voted in the affirmative and 78 in the negative, the committee report was adopted.

HB 113, designating the mastodon as the official state fossil. **INEXPEDIENT TO LEGISLATE.** Rep. John Sytek for Executive Departments and Administration. This bill would designate the mastodon as the official state fossil (as does Michigan). It is the result of the third (now fourth) grade class project at Bradford elementary school. The committee was impressed with the quality of the effort. The pupils enlisted the aid of both UNH and Dartmouth professors. Three well-spoken pupils stated their case in testimony before the committee. However, the committee felt that New Hampshire has enough cultural and historical artifacts such as our state motto, flower and bird. There was no compelling evidence to indicate that the lack of a state fossil would detract from the imagery of our state nor would adding this designation significantly complement the extant array of our state emblems. Vote 11-4.

MOTION TO SPECIAL ORDER

Rep. Andrew Christie moved that **HB 113,** designating the mastodon as the official state fossil, be made a Special Order to the end of the Regular Calendar.
Reps. Andrew Christie and Baldasaro spoke in favor.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 141, relative to rulemaking authority concerning work schedules in pharmacies. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended, expands rulemaking authority in the board of pharmacy to permit the board to address the current critical pressurization of work schedules and work responsibilities in some pharmacy settings. The committee received persuasive oral and written testimony detailing stressful and unhealthful circumstances, which are not in the public interest and could credibly threaten public safety. Granting this additional rulemaking authority will enable the board of pharmacy to create flexible work rules to alleviate current inappropriate conditions, while permitting businesses to manage their personnel for a high degree of efficiency and productivity. Vote 10-5.

Amendment (0048h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.

Amend the bill by replacing section 1 with the following:

1 Pharmacists and Pharmacies; Rulemaking; Practice Standards; Safe and Secure Operation. Amend RSA 318:5-a to read as follows:

318:5-a Rulemaking Authority. The board shall adopt rules, pursuant to RSA 541-A, relative to:

I. The application procedure for any license issued under this chapter;

II. The qualifications of applicants in addition to those requirements set by statute;

III. Design and content of all forms required under this chapter;

IV. How an applicant shall be examined, including:

(a) Time and place of examination;

(b) The subjects to be tested;

(c) Passing grade; and

(d) Disposition of examination papers;

IV-a. The standards for registering pharmacies and licensing pharmacists and the practice of pharmacy;

V. How a license shall be renewed;

VI. Ethical ***and practice*** standards required to be met by each holder of any license, ***permit, registration, or certificate*** issued under this chapter and how such license, ***permit, or registration, or certificate*** may be revoked for violation of these standards;

VII. The establishment of all fees and fines required under this chapter, including application fees for nonresidents;

VII-a. Continuing education requirements under this chapter;

VIII. Procedures for the conduct of hearings consistent with the requirements of due process;

IX. Procedures for the inspection of licensees;

X. Registration or certification of pharmacy technicians, including:

(a) Requirements for registration or certification;

(b) The duties, functions, and ***practice*** standards of conduct of pharmacy technicians;

(c) Requirements for the supervision of pharmacy technicians by licensed pharmacists;

(d) Standards for denial and revocation of registration and certification;

(e) Establishment of the effective period of registration or certification;

(f) Requirements for renewal of registration or certification; and

(g) Requirements for reinstatement of registration or certification.

XI. The establishment of fees for registration or certification of pharmacy technicians, including fees for renewal or reinstatement.

XI-a. Registration of pharmacy interns, including:

(a) Requirements for registration;

(b) The duties, functions, and ***practice*** standards of conduct of pharmacy interns;

(c) Requirements for the supervision of pharmacy interns by licensed pharmacists;

(d) Standards for denial and revocation of registration;

(e) Establishment of the effective period of registration;

(f) Requirements for renewal of registration; and

(g) Requirements for reinstatement of registration.

XI-b. The establishment of fees for registration of pharmacy interns, including fees for renewal or reinstatement.

XII. Procedures for the use, documentation, security, maintenance, and monitoring of automated pharmacy systems, including the placement of automated pharmacy systems in long-term care facilities, hospices, and state or county correctional institutions, for the purposes of storage and dispensing of controlled and non-controlled prescription drugs.

XIII. Standards for contracting, implementation, and operation of central prescription processing.

XIV. The adoption of protocols and procedures for the temporary absence of a pharmacist from a pharmacy while on duty.

XV. The requirements for the use of electronic transmission prescriptions, including the contents of such order and the verification of electronic signatures.

XVI. Procedures and protocols for emergency contraception drug therapy, pursuant to RSA 318:47-e.

XVII. The education and training standards and other requirements for pharmacists who, pursuant to prescriber-approved protocol:

(a) Administer prescription medications, including influenza immunizations.

(b) Engage in collaborative pharmacy practices.

XVIII. Disclosure and confidentiality relative to the New Hampshire Rx advantage program, pursuant to RSA 161-L:3.

XIX. The standards for the safe and secure operation of pharmacies in meeting the requirements of this chapter and the protection of public health.

AMENDED ANALYSIS

This bill adds pharmacy board rulemaking authority to adopt rules concerning practice standards and the safe and secure operation of pharmacies.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Department and Administration. This bill establishes a commission tasked with studying the economic impact of arts and cultural activities in New Hampshire. The committee heard testimony that this is a vibrant sector of our economy, but for which there is currently no concrete quantitative assessment of its contribution to our overall economy. The amendment by the committee extends the deadline for the report by this commission to November 1, 2016 to allow the commission to do a comprehensive assessment and also includes the provision that the commission shall make recommendations for the enhancement and expansion of this sector of the economy. Vote 12-4.

Amendment (0650h)

Amend RSA 19-A:14, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The commission shall study the economic impact of the arts and culture in New Hampshire and recommend ways in which the state can enhance and expand this sector of the New Hampshire economy. In the performance of its duties, the commission may solicit information and testimony from local artists and any group or organization with information relevant to the study.

Amend RSA 19-A:14, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

Amend section 3 of the bill by replacing paragraph I with the following:

I. Section 2 of this act shall take effect November 1, 2016.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 174 - NAYS 121

YEAS - 174

BELKNAP

Fields, Dennis	Luther, Robert

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	Ley, Douglas
Parkhurst, Henry	Pearson, William	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Tholl, John			

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Cohen, Alan	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric	Estevez, Eric
Freitas, Mary	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Guerette, C. Lee	Haefner, Robert	Harvey, Suzanne	Heath, Mary
Hinch, Richard	Hogan, Edith	Jack, Martin	Kurk, Neal
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	Martel, Andre
McNamara, Richard	O'Brien, Michael	O'Neil, William	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rosenwald, Cindy	Smith, Gregory	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Souza, Kathleen	Straight, Phillip	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David	Zaricki, Nick		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Deloge, Helen	Doherty, David
Ebel, Karen	Frazer, June	French, Harold	Henle, Paul
Kenison, Linda	MacKay, James	Myler, Mel	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wheeler, Deborah		

ROCKINGHAM

Barnes, Arthur	Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chirichiello, Brian	Christie, Andrew	Cushing, Robert
DeSimone, Debra	Devine, James	Doucette, Fred	Elliott, Robert
Francese, Paula	Friel, William	Gordon, Pamela	Griffin, Mary
Guthrie, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Lovejoy, Patricia	Manning, John	McMahon, Charles	Nigrello, Robert
O'Connor, John	Packard, Sherman	Pantelakos, Laura	Rice, Frederick
Simpson, Alexis	Ward, Gerald	Webb, James	Woitkun, Steven

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gray, James	Horrigan, Timothy
Jones, Laura	Kaen, Naida	Knowles, Robert	Leeman, Don
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet
Ward, Kenneth			

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Irwin, Virginia	Smith, Steven		

NAYS - 121

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Fraser, Valerie	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence	Rideout, Leon	Theberge, Robert

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christie, Rick
Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth	Fromuth, Bart
Gagne, Larry	Gorman, Mary	Gould, Linda	Goulette, William
Griffin, Barbara	Halstead, Carolyn	Hansen, Peter	Infantine, William
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McLean, Mark	Moore, Josh	Murphy, Keith	Notter, Jeanine

O'Brien, William	Ohm, Bill	Palmer, Barry	Parison, James
Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Seidel, Carl	Silva, Peter	Simmons, Tammy	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Wolf, Terry	

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kotowski, Frank	Kuch, Bill	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Bates, David	Chase, Francis	Duarte, Joe	Emerick, J. Tracy
Gannon, William	Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Matthews, Carolyn	Milz, David	Potucek, John	Prudhomme-O'Brien, Katherine
Schroadter, Adam	Sytek, John	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Welch, David
Weyler, Kenneth	Wood, David		

STRAFFORD

Cheney, Catherine	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Mullen, John	Turcotte, Leonard	Wuelper, Kurt	

SULLIVAN

Laware, Thomas	O'Hearne, Andrew

and the committee report was adopted and ordered to third reading.

HB 286, relative to permits issued by building inspectors. **OUGHT TO PASS WITH AMENDMENT.** Rep. Steven P. Beaudoin for Executive Departments and Administration. This enabling legislation, as amended, will allow a municipality to authorize a building inspector or code enforcement official to consider deed restrictions and covenants prior to issuing a building permit. Currently, this is not allowed under statute and code enforcement officials' hands are tied leaving enforcement of covenants a civil matter. Though zoning may allow certain structures and land uses, oftentimes covenants and deed restrictions prohibit them. This bill will allow an official the ability to take those into account if the municipality chooses to adopt a process to do so. Vote 12-2.

Amendment (0216h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Power to Amend State Building Code and Establish Enforcement Procedures. Amend RSA 674:51 by inserting after paragraph V the following new paragraph:

VI. A municipality that has adopted a process to enforce a building code may authorize the building inspector to require compliance with applicable deed restrictions or covenants relative to structures erected, altered, or placed on the premises as a condition to the issuance of a building permit.

AMENDED ANALYSIS

This bill enables a municipality to authorize the building inspector to require compliance with applicable deed restrictions or covenants as a condition to the issuance of a building permit.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 325, relative to the release of the names of winners of multi-state lotteries. **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory G. Smith for Executive Departments and Administration. This bill would allow winners of multi-state lotteries (e.g. Powerball) to remain anonymous. A majority of the committee felt that although it's understandable why some winners might not want their names released that the principle of transparency was paramount to ensure that the public maintain confidence in the

integrity of such games. There was also concern that this law would illegally attempt to bind out-of-state interests since it only affected multi-state lotteries. Current law already allows winners who wish to remain anonymous to have winnings paid to an anonymous trust. Vote 12-4.
Committee report adopted.

HB 410, relative to the uniform anatomical gift act. **INEXPEDIENT TO LEGISLATE.**
Rep. Mark L. Proulx for Executive Departments and Administration. This bill was written to repeal a provision in NH law that prohibited the sale of body parts harvested after a person's death. The purchase and sale of human organs is prohibited by the National Organ Transplant Act, therefore this change to state law would not permit the sale of organs in New Hampshire. The only country we were aware of that does allow this is Iran. The committee felt that repeal of RSA 291-A:16 was not prudent and could only lead to confusion over the state of the law. Vote 12-3.
Rep. Dan McGuire requested a roll call; sufficiently seconded.

YEAS 245 - NAYS 54

YEAS - 245

BELKNAP

Fields, Dennis	Fisher, Robert	LeBreche, Shari	Luther, Robert
Spanos, Peter	Tilton, Franklin		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	Ley, Douglas
McConnell, Jim	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Chris
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Adams, Christopher	Backus, Robert	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Byron, Frank
Christensen, Chris	Christie, Rick	Cohen, Alan	Cote, David
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Estevez, Eric
Freitas, Mary	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Goulette, William	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Infantine, William	Jack, Martin	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Leishman, Peter	Mangipudi, Latha	Manley, Jonathan
Martel, Andre	McCarthy, Peggy	McNamara, Richard	Notter, Jeanine
O'Brien, Michael	O'Neil, William	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David

Porter, Marjorie
Rouillard, Claire
Smith, Timothy
Straight, Phillip
Twombly, Timothy
Wolf, Terry
Proulx, Mark
Sanborn, Laurie
Snow, Kendall
Sullivan, Daniel
Vann, Ivy
Woodbury, David
Rice, Kimberly
Seidel, Carl
Soucy, Timothy
Sullivan, Victoria
Walsh, Robert
Rosenwald, Cindy
Smith, Gregory
Souza, Kathleen
Takesian, Charlene
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Doherty, David
Henle, Paul
Kuch, Bill
Rice, Harold (Chip)
Shurtleff, Stephen
Bartlett, Christy
Ebel, Karen
Horn, Werner
MacKay, James
Rogers, Katherine
Turcotte, Alan
Brewster, Michael
Frazer, June
Kenison, Linda
Martin, John
Saunderson, George
Walsh, Thomas
Deloge, Helen
French, Harold
Kotowski, Frank
Myler, Mel
Schuett, Dianne
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
DeSimone, Debra
Elliott, Robert
Gannon, William
Guthrie, Joseph
Introne, Robert
Matthews, Carolyn
O'Connor, John
Prudhomme-O'Brien, Katherine
Sytek, John
Ward, Gerald
Woitkun, Steven
Allen, Mary
Cahill, Michael
Chirichiello, Brian
Devine, James
Emerick, J. Tracy
Gordon, Pamela
Harris, Jeffrey
Kolodziej, Walter
McMahon, Charles
Packard, Sherman
Rice, Frederick
Thomas, Douglas
Ward, Joanne
Wood, David
Barnes, Arthur
Cali-Pitts, Jacqueline
Christie, Andrew
Doucette, Fred
Francese, Paula
Gordon, Richard
Hodgdon, Bruce
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Schroadter, Adam
True, Chris
Webb, James
Belanger, Ronald
Cardon, G. Thomas
Cushing, Robert
Duarte, Joe
Friel, William
Griffin, Mary
Hoelzel, Kathleen
Manning, John
Nigrello, Robert
Potucek, John
Simpson, Alexis
Vose, Michael
Welch, David

STRAFFORD

Baber, William
Cilley, Jacalyn
Jones, Laura
Rollo, Deanna
Sprague, Dale
Verschueren, James
Bickford, David
DiSesa, Len
Kaen, Naida
Schmidt, Peter
Stevens, Audrey
Wall, Janet
Bixby, Peter
Gray, James
Knowles, Robert
Smith, Marjorie
Treleaven, Susan
Ward, Kenneth
Burton, Wayne
Horrigan, Timothy
Leeman, Don
Southworth, Thomas
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
O'Hearne, Andrew
Cloutier, John
Smith, Steven
Gagnon, Raymond
Irwin, Virginia

NAYS - 54

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Varney, Peter
Comtois, Guy
Hurt, George
Dumais, Russell
Sylvia, Michael
Fraser, Valerie
Vadney, Herbert

CARROLL

Avellani, Lino
Cordelli, Glenn

GRAFTON

Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Edelblut, Frank
Bouldin, Amanda
Edwards, Elizabeth
Burt, John
Ferreira, Elizabeth
Eastman, Eric
Halstead, Carolyn

Hogan, Edith	Marston, Dick	McLean, Mark	Moore, Josh
Murphy, Keith	O'Brien, William	Schleien, Eric	Silva, Peter
Simmons, Tammy	Sweeney, Shawn	Zaricki, Nick	

MERRIMACK

Hill, Gregory	Hoell, J.R.	McGuire, Carol	McGuire, Dan
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Heffron, Frank
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Tucker, Pamela
Weyler, Kenneth			

STRAFFORD

Cheney, Catherine	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Mullen, John			

SULLIVAN

Converse, Larry	Laware, Thomas

and the committee report was adopted.

HB 413-FN-A, establishing the governing board of polysomnographic technologists within the allied health professionals. **INEXPEDIENT TO LEGISLATE.**
Rep. J.R. Hoell for Executive Departments and Administration. The bill would have created a governing board and a licensing system for polysomnographers (sleep technicians). These technicians work under a doctor's direct supervision, do not administer any medicines, have only minimal contact with their subjects, and are not permitted to perform any medical procedures at all. The committee thought that establishing a new board (more state government) and the mechanism of licensing were not warranted for these technicians who are presently under the respiratory board. In addition, there is already a national registration program for polysomnographers, which seems to fill the need. Furthermore, language in the bill left members of the majority concerned as the initial requirements for license included, "be of good moral character" and "demonstrate sufficient evidence of good professional character and reliability..." While these are good attributes and worthwhile traits for those engaged in the profession, these are not metrics by which a board can create definitive and subjective criteria to grade someone. Some of the majority thought that inclusion under the medical technician board (registration) would address the potential concerns of the sponsors. Vote 9-4. Committee report adopted.

HB 427, relative to the definition of the New Hampshire fire code. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Jeffrey P. Goley for the Majority of Executive Departments and Administration. This bill, as amended, will update the New Hampshire fire code from the 2009 edition to the current 2015 codes and gives the state fire marshal time to provide the updated information and training to those affected by the change before the new codes become law. The updates were reviewed and recommended by the state fire marshal and the board of fire control. This 11-member board advises the state fire marshal and is comprised of representatives from the following industries (1) manufacturing, (2) the storage of petroleum products, (3) the position of forest fire warden and who is a chief of a volunteer or full-time fire department, (4) fire insurance underwriting, (5) the position of chief of a municipal fire department, (6) a registered architect, (7) a chemical engineer, (8) an electrical engineer, (9) the position of chief of a volunteer fire department, (10) natural gas distribution, and (11) propane gas distribution. Additional stakeholders that provided input on this bill represented: the building code review board, the department of health and human services, health care engineers, the department of education, the association for assisted living, nursing home facilities, and the lobbyist for the home builders and commercial contractors. None of these parties testified in opposition to the bill. If this bill is adopted, all of the amendments to the state fire code that had been previously approved by the legislature and are currently in place will be carried forward. These amendments include exempting the requirement for residential fire sprinklers, any referenced permits in the code, corn mazes and allowing alternative stair configuration in establishing dwellings. Vote 11-3.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill updates the standards used within the state for all new building construction or renovation, building operation and maintenance, fire department access, and hazardous material storage. The current edition of this standard used in the state is the NFPA 101: Life Safety Code 2009 edition and the Uniform Fire Code NFPA 1, 2009 edition, as published by the national fire protection association just 6 years ago. The bill simply changes the date to the most recent edition of the manual, however, the changes made over the last 6 years were extensive and included such restrictions as: "no hibachi, grill, or other similar device used for cooking, heating, or any other purpose shall be used....within 10 feet (3m) of any structure." Reviewing the website for the NFPA showed that these standards have only been adopted statewide by 19 other states. The website also showed that the NFPA has already published the first update to this manual, yet the manual has only been in use for 2 months. The minority felt that this bill to mandate the adoption of the new standards was premature and the changes contained needed additional vetting prior to their adoption. The committee membership had significant concerns about the costs to the taxpayers for upgrading the public buildings to these new specifications during future renovations. Members thought that retaining the bill would have been a better choice so a more thorough review of the changes could be done instead of pushing this bill through.

Majority Amendment (0446h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2016.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Ohm offered floor amendment (0780h).

Floor Amendment (0780h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2018.

Rep. Ohm spoke in favor.
Rep. Hoell spoke in favor and yielded to questions.
Rep. Andrew Christie spoke against.
On a division vote, 158 members having voted in the affirmative and 127 in the negative, floor amendment (0780h) was adopted.
Majority committee report adopted and ordered to third reading.

HB 448, establishing February 6 as Ronald Reagan Day. **INEXPEDIENT TO LEGISLATE.**
Rep. Gregory G. Smith for Executive Departments and Administration. This bill would require the governor to annually declare February 6 as "Ronald Reagan Day." A majority of committee felt that although President Reagan might have had a significant impact on American history that such proclamations should be limited to those who have a strong and unique connection to the State of New Hampshire and are not honored in other ways. President Reagan has many tributes already including Reagan National Airport, the USS Ronald Reagan aircraft carrier, and in New Hampshire a peak in the White Mountains. On that basis, we voted to ITL this bill. Vote 9-5.
Rep. Notter spoke against.
Rep. Gregory Smith spoke in favor.
Rep. Horn requested a roll call; sufficiently seconded.

YEAS 196 - NAYS 103

YEAS - 196

BELKNAP

Fields, Dennis	Fisher, Robert	Fraser, Valerie	Howard, Jr., Raymond
LeBreche, Shari	Luther, Robert		

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Hunt, John
Ley, Douglas
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John

GRAFTON

Abel, Richard
Almy, Susan
Brown, Chris
Cooney, Mary
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Johnson, Eric
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles

HILLSBOROUGH

Ammon, Keith
Backus, Robert
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Byron, Frank
Cohen, Alan
Cote, David
DiSilvestro, Linda
Edelblut, Frank
Edwards, Elizabeth
Ferreira, Elizabeth
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Halstead, Carolyn
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McNamara, Richard
O'Neil, William
Palmer, Barry
Peterson, Ken
Pierce, David
Porter, Marjorie
Rosenwald, Cindy
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Brewster, Michael
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
Gile, Mary
Henle, Paul
Hoell, J.R.
Kenison, Linda
Kotowski, Frank
Kuch, Bill
MacKay, James
McGuire, Carol
Myler, Mel
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Barnes, Arthur
Bates, David
Berrien, Skip
Cahill, Michael
Cali-Pitts, Jacqueline
Chase, Francis
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Elliott, Robert
Francese, Paula
Friel, William
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Hoelzel, Kathleen
Kellogg, Shem
Lovejoy, Patricia
Matthews, Carolyn
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Pantelakos, Laura
Simpson, Alexis
Sytek, John
Thomas, Douglas
True, Chris
Ward, Gerald
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Rollo, Deanna

Schmidt, Peter | Smith, Marjorie | Southworth, Thomas | Sprague, Dale
Stevens, Audrey | Treleaven, Susan | Turcotte, Leonard | Verschueren, James
Wall, Janet | Ward, Kenneth | Wuelper, Kurt

SULLIVAN

Bridge, Ernest | Cloutier, John | Converse, Larry | Gagnon, Raymond
O'Hearne, Andrew

NAYS - 103

BELKNAP

Aldrich, Glen | Comtois, Guy | Dumais, Russell | Hurt, George
Spanos, Peter | Tilton, Franklin | Vadney, Herbert | Varney, Peter

CARROLL

Avellani, Lino | Chandler, Gene | Comeau, Ed | Cordelli, Glenn
McCarthy, Frank | McConkey, Mark | Parker, Harold | Schmidt, Stephen

CHESHIRE

Emerson, Susan | McConnell, Jim | Sterling, Franklin

COOS

Rideout, Leon

GRAFTON

Bailey, Brad | Darrow, Stephen | Gionet, Edmond | Ingbretson, Paul
Ladd, Rick

HILLSBOROUGH

Adams, Christopher | Burt, John | Christensen, Chris | Christie, Rick
Danielson, David | Donovan, Daniel | Eastman, Eric | Estevez, Eric
Fromuth, Bart | Gould, Linda | Haefner, Robert | Hansen, Peter
Hogan, Edith | Infantine, William | Lachance, Joseph | Marston, Dick
McCarthy, Peggy | McLean, Mark | Moore, Josh | Murphy, Keith
Notter, Jeanine | O'Brien, William | Ohm, Bill | Parison, James
Pellegrino, Anthony | Proulx, Mark | Rice, Kimberly | Seidel, Carl
Silva, Peter | Souza, Kathleen | Straight, Phillip | Sweeney, Shawn
Twombly, Timothy | Zaricki, Nick

MERRIMACK

French, Harold | Hill, Gregory | Horn, Werner | Martin, John
McGuire, Dan | Walsh, Thomas

ROCKINGHAM

Abramson, Max | Baldasaro, Alfred | Belanger, Ronald | Cardon, G. Thomas
Chirichiello, Brian | Devine, James | Doucette, Fred | Duarte, Joe
Emerick, J. Tracy | Gannon, William | Gordon, Richard | Griffin, Mary
Harris, Jeffrey | Hodgdon, Bruce | Introne, Robert | Itse, Daniel
Kappler, Lawrence | Kolodziej, Walter | Manning, John | Packard, Sherman
Potucek, John | Prudhomme-O'Brien, Katherine | Rice, Frederick | Schroadter, Adam
Tucker, Pamela | Vose, Michael | Ward, Joanne | Webb, James
Weyler, Kenneth | Wood, David

STRAFFORD

Cheney, Catherine | Groen, Warren | Kaczynski, Jr., Thomas | Knowles, Robert
Leeman, Don | Mullen, John

SULLIVAN

Laware, Thomas | Smith, Steven

and the committee report was adopted.

HB 454, relative to the commandant of the veterans' home. **INEXPEDIENT TO LEGISLATE.** Rep. J.R. Hoell for Executive Departments and Administration. The bill sought to make the position of commandant an honorably discharged veteran who would have a fixed three year term. The section of the bill that created the three year term, was the issue that the majority of the committee felt would have unintended consequences. During the executive session, issues like getting good applicants for a three year term may be a real issue. While the goals of the bill were laudable, the potential downsides of shifting from an open ended position to this fixed term outweighed the benefits. Vote 12-3.
Rep. Theberge spoke against.
Rep. Peter Schmidt spoke in favor.
Rep. Baldasaro spoke against and requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 126

YEAS - 172

BELKNAP

Dumais, Russell	Fields, Dennis	Fisher, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin		

CARROLL

Butler, Edward	Chandler, Gene	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Chase, Cynthia
Hunt, John	Ley, Douglas	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Tholl, John

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Chris
Hennessey, Martha	Ingbretson, Paul	Ladd, Rick	Maes, Kevin
Nordgren, Sharon	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles			

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Barry, Richard	Biggie, Barbara
Bouldin, Amanda	Cohen, Alan	Cote, David	Danielson, David
Donovan, Daniel	Edwards, Elizabeth	Ferreira, Elizabeth	Freitas, Mary
Gagne, Larry	Goley, Jeffrey	Gould, Linda	Goulette, William
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Infantine, William
Kurk, Neal	LeBrun, Donald	Manley, Jonathan	McLean, Mark
McNamara, Richard	Moore, Josh	O'Brien, Michael	Palmer, Barry
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rosenwald, Cindy	Rouillard, Claire	Sanborn, Laurie	Schleien, Eric
Simmons, Tammy	Smith, Gregory	Snow, Kendall	Soucy, Timothy
Souza, Kathleen	Straight, Phillip	Sullivan, Daniel	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry

MERRIMACK

Bartlett, Christy	Deloge, Helen	Doherty, David	Ebel, Karen
Henle, Paul	Kenison, Linda	Kotowski, Frank	Kuch, Bill
MacKay, James	McGuire, Carol	McGuire, Dan	Myler, Mel
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	

ROCKINGHAM

Abrami, Patrick	Belanger, Ronald	Berrien, Skip	Cahill, Michael
Cali-Pitts, Jacqueline	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Devine, James	Doucette, Fred	Elliott, Robert	Francese, Paula
Friel, William	Gordon, Pamela	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Kellogg, Shem	Lovejoy, Patricia	Matthews, Carolyn
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Simpson, Alexis	Sytek, John	True, Chris	Vose, Michael
Webb, James	Welch, David	Wood, David	

STRAFFORD

Baber, William	Bickford, David	Burton, Wayne	Cheney, Catherine
Cilley, Jacalyn	DiSesa, Len	Gray, James	Jones, Laura
Kaen, Naida	Mullen, John	Schmidt, Peter	Southworth, Thomas
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Converse, Larry	Gagnon, Raymond	Irwin, Virginia
Smith, Steven			

NAYS - 126

BELKNAP

Aldrich, Glen	Comtois, Guy	Fraser, Valerie	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank			

CHESHIRE

Berch, Paul	Eaton, Daniel	Emerson, Susan	McConnell, Jim
Roberts, Kris			

COOS

Hatch, William	Rappaport, Laurence	Rideout, Leon	Theberge, Robert

GRAFTON

Cooney, Mary	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Higgins, Patricia	Hull, Robert	Johnson, Eric	Massimilla, Linda
Piper, Wendy			

HILLSBOROUGH

Adams, Christopher	Balcom, John	Belanger, James	Boehm, Ralph
Burt, John	Byron, Frank	Christensen, Chris	Christie, Rick
DiSilvestro, Linda	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Fromuth, Bart	Gidge, Kenneth	Gorman, Mary	Halstead, Carolyn
Hogan, Edith	Jack, Martin	Lachance, Joseph	Leishman, Peter
Mangipudi, Latha	Marston, Dick	Martel, Andre	McCarthy, Peggy
Murphy, Keith	Notter, Jeanine	O'Brien, William	O'Neil, William
Ohm, Bill	Parison, James	Pellegrino, Anthony	Rice, Kimberly
Seidel, Carl	Silva, Peter	Smith, Timothy	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Woodbury, David	Zaricki, Nick

MERRIMACK

Alicea, Caroletta	Brewster, Michael	Frazer, June	French, Harold
Hill, Gregory	Hoell, J.R.	Horn, Werner	Martin, John
Rice, Harold (Chip)	Rogers, Katherine	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Cardon, G. Thomas	Cushing, Robert	DeSimone, Debra
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter	McMahon, Charles
Pantelakos, Laura	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Thomas, Douglas	Tucker, Pamela	Ward, Gerald
Ward, Joanne	Weyler, Kenneth	Woitkun, Steven	

STRAFFORD

Bixby, Peter	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Rollo, Deanna
Smith, Marjorie	Turcotte, Leonard		

SULLIVAN

Cloutier, John	Laware, Thomas	O'Hearne, Andrew

and the committee report was adopted.

HB 455-FN, relative to the board of managers of the New Hampshire veterans' home. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill increases the membership of the board of managers of the New Hampshire veterans' home, requires the board to meet at a specified interval and eliminates compensation for the secretary of the board. At the request of the commandant and the president of the board, the committee amended the bill to change the interval of the board meetings from "monthly" to quarterly. We heard testimony that the board currently meets on a quarterly basis and as frequently as necessary between those meetings. The committee unanimously agrees this is the appropriate approach. Vote 15-0.

Amendment (0636h)

Amend RSA 119:3-a as inserted by section 2 of the bill by replacing it with the following:

119:3-a Meetings of the Board. The board of managers shall meet quarterly and when called to meet by the chairman of the board. All meeting times and venues shall be noticed in the calendars of the house of representatives and the senate.

AMENDED ANALYSIS

This bill increases the membership of the board of managers of the New Hampshire veterans' home, requires the board to meet quarterly, and deletes compensation for the secretary of the board.

Rep. Theberge spoke against.

Rep. Cilley spoke in favor and yielded to questions.

On a division vote, 196 members having voted in the affirmative and 103 in the negative, the committee amendment was adopted.

Committee report adopted and ordered to third reading.

HB 632-FN, relative to fiscal impact statements submitted by agencies adopting a rule under RSA 541-A. **INEXPEDIENT TO LEGISLATE.**

Rep. John Sytek for Executive Departments and Administration. The committee found the intent of this bill laudable. It would attempt to foster an inviting atmosphere for small business to come to and to stay in New Hampshire. The bill would accomplish this by reining in burdensome administrative rules on businesses. How it would accomplish this would be by requiring an analysis of the cost of the proposed regulation versus the benefit. So far, so good. But the analysis specified in the bill is lengthy, complex, and often unknowable. We need only look at our own fiscal notes to see how daunting this process can be. The committee received a letter signed by virtually every commissioner in state government. While not at all opposed to the goals of the bill, they expressed concerns that their departments did not have staff with sufficient expertise to perform such analyses. Nor did they have the budget to hire outside consultants to meet the requirements of this bill. Because of this enormous devil in the details, the committee, with regret, could not support the bill as written. Vote 12-2.

Committee report adopted.

SPECIAL ORDER

HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Leonard P. Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee believes the workers in our state should have the individual choice and freedom to decide whether a portion of their pay should be mandatorily paid to a union. While the option is always available on whether or not an individual joins the union, negotiated contracts between an employer and union frequently require the non-members to pay a "contract maintenance fee," "contract recovery fee" or "agency fee." According to at least two representatives of unions engaged in the state, these fees are at least 66% of the full union member fees and are paid to support negotiations, the day-to-day operation of the union, and representation of both members and non-members. The citizens of New Hampshire support the issue of "right to work" as a large majority of the general population, and a majority of union members polled, are in agreement. Vote 11-9.

Rep. Douglas A. Ley for the Minority of Labor, Industrial and Rehabilitative Services. This bill represents our biannual exercise in regards to so-called 'right to work' legislation. Despite claims of sponsors and advocates, this legislation would not create jobs nor improve the NH economy. Instead, it bars labor organizations from recovering the costs of negotiating and enforcing contracts - contracts which by law cover all members of the bargaining unit, including non-union employees. Furthermore, the decision to carve out exceptions for police officers and firefighters was justified on grounds of the need for unit cohesion. That same logic can apply to any workplace including those where employees and labor organizations agree to allow the union to recover the costs of negotiating for and defending non-union employees. Such interference in the freedom to contract is unacceptable to the minority.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Baldasaro spoke in favor and yielded to questions.
Rep. Doucette spoke against.
Rep. Ley spoke against and yielded to questions.
Rep. Leonard Turcotte spoke in favor.
Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 149 - NAYS 146

YEAS - 149

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Fraser, Valerie	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Rideout, Leon

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Donovan, Daniel

Eastman, Eric	Edelblut, Frank	Ferreira, Elizabeth	Fromuth, Bart
Gagne, Larry	Gould, Linda	Goulette, William	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansen, Peter	Hinch, Richard
Hogan, Edith	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ohm, Bill
Parison, James	Peterson, Ken	Rice, Kimberly	Rouillard, Claire
Sanborn, Laurie	Schleien, Eric	Seidel, Carl	Silva, Peter
Simmons, Tammy	Smith, Gregory	Souza, Kathleen	Twombly, Timothy
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Chase, Francis	Christie, Andrew	DeSimone, Debra
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Griffin, Mary
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Matthews, Carolyn	O'Connor, John	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Sytek, John	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Weyler, Kenneth	Wood, David

STRAFFORD

Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Smith, Steven

NAYS - 146

BELKNAP

Fields, Dennis

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Hatch, William	Moynihan, Wayne	Richardson, Herbert	Theberge, Robert
Tholl, John			

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles		

HILLSBOROUGH

Backus, Robert	Bouldin, Amanda	Cohen, Alan	Cote, David
Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Harvey, Suzanne	Heath, Mary	Jack, Martin	Leishman, Peter
Mangipudi, Latha	Manley, Jonathan	Martel, Andre	McCarthy, Peggy
McNamara, Richard	O'Brien, Michael	O'Neil, William	Pierce, David
Porter, Marjorie	Proulx, Mark	Rosenwald, Cindy	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Sweeney, Shawn
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Deloge, Helen	Doherty, David
Ebel, Karen	Frazer, June	Henle, Paul	Kenison, Linda
MacKay, James	Myler, Mel	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Abramson, Max	Barnes, Arthur	Berrien, Skip	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	Devine, James
Doucette, Fred	Elliott, Robert	Francese, Paula	Friel, William
Gordon, Pamela	Gordon, Richard	Guthrie, Joseph	Heffron, Frank
Lovejoy, Patricia	Manning, John	McMahon, Charles	Milz, David
Nigrello, Robert	Pantelakos, Laura	Simpson, Alexis	Ward, Gerald
Webb, James	Welch, David	Woitkun, Steven	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Irwin, Virginia
Laware, Thomas	O'Hearne, Andrew		

and the majority committee report was adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider its action whereby, on a roll call vote of 149-146, the House adopted the majority committee report of Ought to Pass on **HB 658-FN,** prohibiting collective bargaining agreements that require employees to join a labor union.

Rep. William O'Brien spoke against.

On a division vote, 135 members having voted in the affirmative and 160 in the negative, the motion failed.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, March 12, 2015 at 9:00 a.m.

Motion adopted.

LATE SESSION

Third reading and final passage

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.
HB 122, relative to advertising of liquor or beverages.
HB 171, relative to rebating.
HB 175, establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.
HB 177-FN, relative to sales of alcoholic beverages by manufacturers.
HB 184, relative to travel insurance.
HB 195, relative to continuing care communities.
HB 223-FN, relative to external review under the managed care law.
HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act.
HB 353, relative to the governance of condominium unit owners' associations.
HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license.
HB 429, revising the commission to review and consider alcoholic beverage manufacturing processes and retail sales in manufacturing facilities.
HB 478, relative to rulemaking for market conduct record retention and production.
HB 479, relative to uninsured or hit-and-run motor vehicle coverage.
HB 480, relative to policies for property and casualty insurance.
HB 481, relative to commercial insurance.
HB 482, relative to the insurance claims adjuster definition.
HB 498, relative to notification of radon and arsenic testing.
HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties.
HB 644-FN, relative to regulation of small loans, title loans, and payday loans.
HB 666-FN, relative to licensing of money transmitters.
HB 198, relative to retention requirements for certain motor vehicle records.
HB 270, granting immunity from criminal prosecution to a person who reports a drug related emergency.
HB 287, allowing citizens to record by audio or video a traffic stop by law enforcement officers.
HB 472, relative to the parole board and parole board procedures.
HB 494, relative to industrial hemp as a controlled substance.
HB 322, relative to protection of personally identifiable data by the department of education.
HB 346, relative to criminal history records checks for school employees and volunteers.
HB 424, relative to the accessibility of assessment materials.
HB 491, relative to immunity for school personnel using reasonable force to protect a minor.
HB 507, relative to teacher personally identifiable data.
HB 604, relative to the use of mixed use school buses by special education pupils.
HB 610, relative to a school board vote on the reassignment of a pupil.
HB 200, allowing homestead food operations exempt from licensure to sell homestead food products at retail food stores.
HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes.
HB 109-FN-L, relative to the testing of backflow devices.
HB 326, relative to the board of registration of medical technicians.
HB 363, relative to Lyme disease awareness.
HB 408, making a technical correction relative to fees for chiropractors.
HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act.
HB 473, relative to the smoking policy at the New Hampshire veterans' home.
HB 484, relative to medication administration by licensed nursing assistants and relative to exemptions from regulation for certain nursing care and attendant care services.
HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers.
HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions.
HB 212, relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing.
HB 423, designating the bobcat as the New Hampshire state wildcat.

HB 383, relative to the immunization/vaccination registry.
HB 422-FN, relative to certification of death certificates by physician assistants.
HB 628-FN, relative to indemnification of health care facilities under certain circumstances.
HB 108-FN, relative to sealing nonpublic session minutes.
HB 285, relative to discussion with legal counsel under the right-to-know law.
HB 309, permitting landlords to remove tenants' property in certain circumstances.
HB 418, relative to waiver of rights to devised or inherited real property.
HB 347, relative to payment of wages of certain hourly school district employees.
HB 361, establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.
HB 411, prohibiting the payment of subminimum wages to persons with disabilities.
HB 521, relative to the size of the pool of the workers' compensation appeals board.
HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law.
HB 523, relative to the jurisdiction of the penalty appeal board.
HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.
HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.
HB 511, establishing a committee to study the funding of certain state aid grants.
HB 506, clarifying the conditions under which motor vehicle information may be used.
HB 180, relative to the definition of "price or consideration" under the real estate transfer tax and relative to the exception for transfers by devise under such tax.
HB 599, relative to the economic revitalization zone tax credit program.
HB 664-FN, consolidating existing oil pollution funds.
HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale.
HB 584-FN, making various changes to laws relating to motor vehicles and vessels.
HB 169, relative to table stakes poker.
HB 547, relative to the valuation of poles and conduits owned by telephone utilities.
HB 681-FN-A, increasing the marriage license fees.
HB 236, relative to child support and allowable child care expenses.
HB 380, relative to investigations of child day care agencies.
HB 441, relative to financial affidavits submitted in hearings regarding child support, property settlement, and alimony.
HB 449, relative to the duration of child support.
HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association.
HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers.
HB 495, relative to referral fees for settlement services.
HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association.
HB 554-FN, relative to sales of beer in refillable containers.
HB 150, establishing a commission to study the legalization, regulation, and taxation of marijuana.
HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense.
HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.
HB 597-FN, relative to penalties for indecent exposure and lewdness.
HB 618-FN, relative to penalties for the possession of marijuana.
HB 648-FN, requiring detention until arraignment for persons arrested for violation of protective orders.
HB 124, relative to the implementation of new college and career readiness standards.
HB 276, providing that school districts shall not be required to adopt the common core standards.
HB 332, relative to school district policy regarding objectionable course material.
HB 519, establishing a committee to study department of education policies affecting dyslexic students.
HB 520, establishing privacy protections for student online personal information.
HB 555, relative to participation of chartered public school students in school district co-curricular activities.
HB 578, relative to state board of education compliance with unfunded federal education mandates.

HB 603, relative to student exemption from the statewide assessment.
HB 328, relative to delivery of absentee ballots.
HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.
HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire.
HB 286, relative to permits issued by building inspectors.
HB 427, relative to the definition of the New Hampshire fire code.
HB 455-FN, relative to the board of managers of the New Hampshire veterans' home.
HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union.

UNANIMOUS CONSENT

Rep. Cilley requested Unanimous Consent of the House in regards to an apology and addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 8:35 p.m.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 10

Thursday, March 12, 2015

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Creator God, God of majestic mountains and soaring skies; God of ancient forests, sun-baked deserts, and endless seas; God of raging storms and icy chills; God of wind, rain, and snow; God of seasons, we give You thanks for the promise of Spring. As green shoots push their way up through the frozen ground, give us that same determination and strength. As tiny leaves begin to break out from their buds, help us to bring new ideas to life. As the temperature rises and the snow and ice melt away, release us from anything that holds us back or limits our vision and as Your creatures wake from their winter sleep, awaken in us energizing insight and creativity. May this time of renewal inspire us all to explore new opportunities, to discover untapped places in our hearts and our spirits, and to rejoice in Your daily gift of the chance to start again. Amen.

Representative Suzanne Gottling, member from Sunapee, led the Pledge of Allegiance.

The National Anthem was sung by Brooke Mills, a 15-year old student at Concord High School.

LEAVES OF ABSENCE

Reps. Adams, Baroody, Beaulieu, Bush, Comtois, Flanagan, Gladys Johnsen, Phyllis Katsakiores, Moody, Kris Roberts and Russell, the day, illness.
Reps. Crawford, Fisher, Friel, Ley, O'Hearne, Oligny, Peckham, Scontsas, Shaw, Twombly and Thomas Walsh, the day, important business.
Reps. Rebecca Brown, DeLemus, Jeudy and Ulery, the day, illness in the family.
Rep. Moffett, the day, death in the family.

INTRODUCTION OF GUESTS

Hishi Pradhan, student at Trinity High School, and Ronald Cooper, Student at Pinkerton Academy, Pages for the day.
Joel Weinrebe, guest of Rep. LeBreche. Honorable Elaine Andrews-Ahern, former member from Hampton falls, guest of Rep. Cushing. Maynard Goldman, guest of Rep. Andrew Schmidt. Stephanie and Emilee Mills, mother and sister of the singer, guests of Rep. Horn. Fourth graders from Lincoln Akerman School in Hampton Falls, accompanied by their teacher, James Cutting, guests of the Seabrook and Hampton Falls Delegations.

REGULAR CALENDAR CONT'D FROM MARCH 11, 2015

SPECIAL ORDER

HB 373, establishing the red-tailed hawk as the New Hampshire state raptor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter W. Bixby for the Majority of Environment and Agriculture. This bill, brought at the request of fourth graders from Hampton Falls, would designate the red-tailed hawk as the New Hampshire state raptor. Students noted that several of the bird's characteristics make it a good symbol for the state: adaptability, attentiveness to family, and strong, determined presence. While this raptor is not unique to our state, one great advantage is its familiarity. It is easy for our citizens to look up and spot this noble looking bird. Vote 10-8.

Rep. Christy D. Bartlett for the Minority of Environment and Agriculture. It's always tough to oppose a group of fourth graders who are counting on the committee to pass a bill they've presented. However, this bill split the committee, as many of us didn't feel that NH needed another "state bird" even if this one is a raptor. Additionally, the red-tailed hawk is ubiquitous to the entire country and not unique to NH. If a state raptor is absolutely necessary, it should seem that a pick of the five species that are threatened or endangered might have been more deserving, if the intention is to draw attention. During a budget year when our energy and efforts should be directed elsewhere, it would seem that a more valuable educational lesson would be that not all bills are passed.

The question being adoption of the majority committee report of Ought to Pass.
Reps. Bartlett, Groen and Burt spoke against.
Reps. Bixby and Abramson spoke in favor.
On a division vote, 133 members having voted in the affirmative and 160 in the negative, the majority committee report failed.
Rep. Bartlett moved the minority committee report of Inexpedient to Legislate.
Minority committee report adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Edelblut moved that **HCR 3,** applying to Congress to call a convention of states under the United States Constitution, be removed from the table.
On a division vote, 71 members having voted in the affirmative and 228 in the negative, the motion failed.

MOTION TO SPECIAL ORDER

Rep. Rappaport moved that **HB 431,** relative to the placement of all new elective electric transmission lines in New Hampshire, be made a Special Order as the first order of business after the lunch break.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 298, relative to the seasons for taking game animals and game birds with the use of bait. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Ivy C. Vann for the Majority of Fish and Game and Marine Resources. The committee believes that, in light of last year's legislation on this same topic, we should allow the fish and game process to work before we make any additional changes. Vote 12-2.
Rep. James A. Spillane for the Minority of Fish and Game and Marine Resources. The length of the baiting season as set by rules by fish and game has a detrimental economic impact upon all business that support and supply the sport of hunting. To benefit economic growth within New Hampshire for tourism and the sportsman industry, the state should extend the baiting season

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Burt requested a roll call; sufficiently seconded.

YEAS 222 - NAYS 95

YEAS - 222

BELKNAP

Dumais, Russell	Fields, Dennis	Gallagher, Brian	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Tilton, Franklin
Varney, Peter			

CARROLL

Butler, Edward	Chandler, Gene	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Rappaport, Laurence
Richardson, Herbert	Thomas, Yvonne		

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Duane
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Brown, Pamela
Byron, Frank
Christensen, Chris
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Freitas, Mary
Gagne, Larry
Goley, Jeffrey
Gorman, Mary
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Infantine, William
Jack, Martin
Kurk, Neal
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Notter, Jeanine
O'Brien, Michael
O'Neil, William
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Roberts, Carol
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Martin, John
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Cushing, Robert
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Pamela
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Milz, David
Packard, Sherman
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Webb, James
Welch, David
Weyler, Kenneth
Wood, David

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gray, James
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Leeman, Don
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 95

BELKNAP

Aldrich, Glen	Fraser, Valerie	Howard, Jr., Raymond	Sylvia, Michael
Vadney, Herbert			

CARROLL

Avellani, Lino	Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Moynihan, Wayne	Rideout, Leon	Theberge, Robert

GRAFTON

Hull, Robert	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Belanger, James	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Christie, Rick	Cohen, Alan
Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gould, Linda	Goulette, William	Halstead, Carolyn	Hogan, Edith
Hopper, Gary	Lachance, Joseph	LeBrun, Donald	Marston, Dick
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Ober, Russell	Ohm, Bill	Peterson, Ken	Proulx, Mark
Rice, Kimberly	Sanborn, Laurie	Seidel, Carl	Silva, Peter
Simmons, Tammy	Smith, Gregory		

MERRIMACK

French, Harold	Hill, Gregory	Horn, Werner	Kuch, Bill
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Chase, Francis
Cook, Allen	DeSimone, Debra	Duarte, Joe	Emerick, J. Tracy
Gordon, Richard	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Nigrello, Robert
O'Connor, John	Osborne, Jason	Potucek, John	Rice, Frederick
Schroadter, Adam	Spillane, James	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Woitkun, Steven			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Knowles, Robert	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Converse, Larry	Laware, Thomas	Oxenham, Lee

and the majority committee report was adopted.

(Rep. Packard in the Chair)

HB 563-FN, relative to funding for chartered public school pupils. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth L. Weyler for the Majority of Finance. In a study last year, looking at the financing for charter schools, the committee learned that once the startup federal grant expired the charter schools were struggling financially. In 2009, we added $2,000 to the adequacy amount that was given for every public school student. At the time, this brought spending for charter students to 45% of the average spent for other public school students. In the last 6 years, as spending has increased locally

for the other public school students, the amount for charter students fell to only 40%. The original bill called for indexing charter students to 50%, but due to financial constraints, the amendment reduces that. As amended, HB 563 adds the CPI to the $2,000 or an increase of $36 per student for 2016-17 (FY 2016). For 2017-18 (FY 2017), the amount per charter student increases by $1,036 and will be increased by CPI going forward. VLACS will benefit from the CPI adjustment on the $2,000, but will not receive the extra $1,000. The total general fund cost for the biennium is $4.7 million. Vote 14-10. Rep. Susan M. Ford for the Minority of Finance. While the minority of the committee believes in the goal of HB 563, there is significant concern about the process. HB 563 is a stand alone bill that adds additional monies to the charter school allocation. After studying the charter school funding in a study committee last year, finance committee division II agrees that some charter schools will need additional funds for sustainability. Division II is currently developing the 2016-2017 department of education budget, and there are questions about all adequacy grants that are distributed to public schools. The minority of the committee would prefer dealing with all of these aspects of public school funding within the budget process as is the custom. A vote of Inexpedient to Legislate would allow the committee to develop a fair budget for all public school funding, both public charter schools and town and city public schools.

Majority Amendment (0757h)

Amend the bill by replacing all after the enacting clause with the following:

1 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of [~~$2,000~~] ***$2,036*** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school.

2 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of $2,036 ***for the Virtual Learning Academy Charter School and $3,036 for all other chartered public schools*** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. ***Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor.***

3 Effective Date.

I. Section 2 of this act shall take effect July 1, 2016.

II. The remainder of this act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill adjusts the additional grants for chartered public school pupils based on the Consumer Price Index and adds $1,000 per pupil to the grant beginning July 1, 2016 for chartered public schools other than the Virtual Learning Academy Charter School.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Umberger spoke in favor.

Reps. Weyler and Ladd spoke in favor and yielded to questions.

Rep. Horrigan spoke against.

Rep. Kurk requested a roll call; sufficiently seconded.

YEAS 222 - NAYS 116

YEAS - 222

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Phillips, Larry
Tilton, Benjamin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Brown, Duane	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Massimilla, Linda	Smith, Suzanne		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Coffey, James
Cohen, Alan	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Forest, Armand
Freitas, Mary	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Gonzalez, Carlos	Gould, Linda	Goulette, William	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Jack, Martin	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Mangipudi, Latha	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Smith, Timothy
Soucy, Timothy	Souza, Kathleen	Straight, Phillip	Sullivan, Daniel
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Turcotte, Alan

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Belanger, Ronald	Berrien, Skip
Borden, David	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
DiFranco, Debbie	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Gannon, William
Gordon, Richard	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Lundgren, David	Major, Norman	Manning, John	Matthews, Carolyn
McKinney, Betsy	Milz, David	Nigrello, Robert	O'Connor, John

Osborne, Jason
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Simpson, Alexis
Spillane, James
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Cilley, Jacalyn
Gardner, Janice
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Spang, Judith
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 116

BELKNAP

Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Parkhurst, Henry
Pearson, William
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Fromuth, Bart
Goley, Jeffrey
Gorman, Mary
Herbert, Christopher
Leishman, Peter
Long, Patrick
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Snow, Kendall
Takesian, Charlene
Vann, Ivy
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Wallner, Mary Jane

ROCKINGHAM

Barnes, Arthur
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Pantelakos, Laura
Sherman, Thomas
Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Southworth, Thomas	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.
Rep. Murotake declared a conflict of interest and did not participate.

MOTION TO SPECIAL ORDER

Rep. Shurtleff moved that **HB 684-FN,** establishing a state minimum hourly rate, be made a Special Order as the 2nd order of business after today's lunch break.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 336, relative to seasons for hunting by crossbow. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. James A. Spillane for the Majority of Fish and Game and Marine Resources. This is a very strong bill, supported by fish and game, which cleans up some mistakes originally made when including crossbow use in the regular firearms season. Passing this bill allows crossbow hunters to use that bow for the taking of the other large game species in New Hampshire, not just whitetail deer. Vote 10-3.
Rep. Shari L. LeBreche for the Minority of Fish and Game and Marine Resources. It is understandable to use a crossbow if a hunter has a disability. To open the season to all hunters to allow for the taking of any game bird or game animal, other than deer is unsportsmanlike.

Majority Amendment (0084h)

Amend the bill by replacing all after the enacting clause with the following:

1 Fish and Game; Rulemaking; Crossbow. Amend RSA 208:7-a to read as follows:

208:7-a Taking [~~Deer~~] ***Game*** by Crossbow; Rulemaking.

I. The executive director of fish and game, with the consent of the commission, may adopt rules under RSA 541-A to allow for the taking of deer by crossbow during the regular firearms season, for persons holding a valid firearms deer tag, or as specified in RSA 206:23-c.

II. The executive director of fish and game, with the consent of the commission, may adopt rules under RSA 541-A to allow for the taking by crossbow of any game bird or any game animal, other than deer, during the regular firearms season set for that species.

III. Rules may include, but not be limited to, conditions or limitations as to the portions of the state crossbows may be used, the manner and method of taking with a crossbow, mandatory education requirements for the use of a crossbow, and any additional licensing requirements and associated fees.

2 Fish and Game; Black Bear; Crossbow. Amend RSA 208:22, V to read as follows:

V. Wild black bear may be taken by the aid and use of dogs, as permitted pursuant to RSA 208:22, I; by firearms; ***by crossbow;*** or by bow and arrow of at least 40 pound pull. No person shall take bear by the aid or use of a jack or artificial light, trap, snare, or set gun or .22 or smaller caliber rimfire firearm, unless otherwise provided in this section.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows the executive director of fish and game to adopt rules for taking black bear by crossbow and for taking game animals and game birds during the regular firearms season for the species.
Majority committee amendment adopted.
Majority committee report adopted and ordered to third reading.

HB 564-FN, relative to prior authorization for certain prescription drugs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Emerson for Health, Human Services and Elderly Affairs. This bill addresses a problem with a very narrowly defined patient population. The committee heard extensive testimony to a flawed process in prior authorization of medication used to treat mental illness for this covered under medicaid managed care putting the health of patients and the general public at risk. This bill as amended reverses prior authorization for specific classes of medications used to treat serious mental illness, including major schizophrenia, depression, and bi-polar disorders. Vote 13-4.

Amendment (0312h)

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Medicaid Managed Care. Amend RSA 126-A:5, XIX by inserting after subparagraph (d) the following new subparagraph:

(e) No managed care organization health benefit plan that provides prescription drug benefits to Medicaid recipients shall require prior authorization or other restrictions on medication used to treat mental illnesses such as schizophrenia, depression, or bipolar disorder. Medications that shall be available without restriction for persons with mental illnesses shall include atypical antipsychotic medications, conventional antipsychotic medications, and other medications used for the treatment of mental illness.

AMENDED ANALYSIS

This bill declares that a managed care health benefit plan offering prescription drug benefits to Medicaid recipients shall not require prior authorization for certain drugs used to treat mental illnesses.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joanne A. Ward for the Majority of Health, Human Services and Elderly Affairs. The department of health and human services is working to implement the medical cannabis program for the state as passed in previous legislation in the last session. The majority believes that changes to the law should not be made until the program is operating and experience is gained regarding how well the alternative treatment centers are meeting the needs of patients. Vote 9-8.

Rep. Susan J. Ticehurst for the Minority of Health, Human Services and Elderly Affairs. Therapeutic cannabis relieves pain and prolongs life for seriously ill patients. Unnecessary suffering is caused by denying patients permission to produce their own therapeutic substance while waiting for dispensaries to become operational. Once dispensaries open, patients who lack the economic resources to purchase from a dispensary, or who live prohibitively far from a dispensary, must have the ability to produce this natural herb, in limited quantity, under secure control, for their own therapeutic use.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Wright spoke against.

Rep. Joanne Ward spoke in favor.

Rep. Edwards requested a roll call; sufficiently seconded.

YEAS 148 - NAYS 188

YEAS - 148

BELKNAP

Dumais, Russell	Fields, Dennis	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Tilton, Franklin	Varney, Peter

CARROLL

Chandler, Gene	Cordelli, Glenn	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	

CHESHIRE

Ames, Richard	Emerson, Susan	Hunt, John	Parkhurst, Henry
Sterling, Franklin	Weber, Lucy		

COOS

Fothergill, John
Hatch, William
Richardson, Herbert
Tholl, John
Thomas, Yvonne

GRAFTON

Almy, Susan
Brown, Duane
Cooney, Mary
Ford, Susan
Hennessey, Martha
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Piper, Wendy
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Biggie, Barbara
Cote, David
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gould, Linda
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Hinch, Richard
Infantine, William
LeBrun, Donald
Leishman, Peter
Long, Patrick
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
O'Neil, William
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Rosenwald, Cindy
Rowe, Robert
Seidel, Carl
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel

MERRIMACK

Bradley, Paula
Deloge, Helen
Doherty, David
Ebel, Karen
Gile, Mary
Hess, David
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Martin, John
Myler, Mel
Patten, Dick
Rogers, Katherine
Schuett, Dianne
Shurtleff, Stephen
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Bates, David
Belanger, Ronald
Borden, David
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Devine, James
Elliott, Robert
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kappler, Lawrence
Kolodziej, Walter
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
Milz, David
Nigrello, Robert
O'Connor, John
Pantelakos, Laura
Potucek, John
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Joanne
Webb, James
Welch, David

STRAFFORD

Baber, William
Berube, Roger
Burton, Wayne
DiSesa, Len
Gray, James
Rollo, Deanna
Southworth, Thomas
Sprague, Dale
Turcotte, Leonard
Wall, Janet
Ward, Kenneth

SULLIVAN

Gagnon, Raymond
Gottling, Suzanne
Rollins, Skip
Smith, Steven

NAYS - 188

BELKNAP

Aldrich, Glen
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Sylvia, Michael
Vadney, Herbert

CARROLL

Avellani, Lino
Butler, Edward
Comeau, Ed
Ticehurst, Susan
Wright, Ted

CHESHIRE

Abbott, Michael
Berch, Paul
Bordenet, John
Chase, Cynthia
McConnell, Jim
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Froburg, Alethea
Moynihan, Wayne
Rappaport, Laurence
Rideout, Leon
Theberge, Robert

GRAFTON

Abel, Richard
Bennett, Travis
Brown, Chris
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Sykes, George

HILLSBOROUGH

Ammon, Keith
Belanger, James
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cohen, Alan
Cornell, Patricia
Danielson, David
Donovan, Daniel
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gidge, Kenneth
Gorman, Mary
Goulette, William
Guerette, C. Lee
Halstead, Carolyn
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hogan, Edith
Hopper, Gary
Jack, Martin
Lachance, Joseph
Mangipudi, Latha
Marston, Dick
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
Ober, Russell
Ohm, Bill
Parison, James
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rokas, Ted
Rouillard, Claire
Shattuck, Gilman
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Brewster, Michael
Carson, Clyde
Frazer, June
French, Barbara
French, Harold
Henle, Paul
Hill, Gregory
Hirsch, Geoffrey
Kuch, Bill
Marple, Richard
McGuire, Carol
McGuire, Dan
Parent, Jason
Ratzki, Mario
Rice, Harold (Chip)
Saunderson, George
Seaworth, Brian
Turcotte, Alan
Wallner, Mary Jane

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Barnes, Arthur
Berrien, Skip
Cahill, Michael
Cali-Pitts, Jacqueline
Cook, Allen
Cushing, Robert
DeSimone, Debra
DiFranco, Debbie
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Gordon, Pamela
Heffron, Frank
Itse, Daniel
Kellogg, Shem
Lovejoy, Patricia
Lundgren, David
McBeath, Rebecca
Osborne, Jason
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Gerald
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Bixby, Peter
Cheney, Catherine
Cilley, Jacalyn
Gardner, Janice
Groen, Warren
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Schmidt, Peter
Spang, Judith
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Grenier, James
Laware, Thomas	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report failed.

Rep. Ticehurst moved the minority committee report of Ought to Pass.
Rep. Leeman requested a roll call; sufficiently seconded.

YEAS 208 - NAYS 132

YEAS - 208

BELKNAP

Aldrich, Glen	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Sylvia, Michael	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Butler, Edward	Comeau, Ed	Ticehurst, Susan
Wright, Ted			

CHESHIRE

Abbott, Michael	Berch, Paul	Bordenet, John	Chase, Cynthia
McConnell, Jim	Pearson, William	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Rideout, Leon	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Abel, Richard	Bennett, Travis	Brown, Chris	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Higgins, Patricia	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Nordgren, Sharon	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Ammon, Keith	Belanger, James	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Cohen, Alan
Cornell, Patricia	Danielson, David	Donovan, Daniel	Eastman, Eric
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Freitas, Mary
Fromuth, Bart	Gagne, Larry	Gidge, Kenneth	Gonzalez, Carlos
Gorman, Mary	Goulette, William	Guerette, C. Lee	Halstead, Carolyn
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hogan, Edith	Hopper, Gary	Jack, Martin	Lachance, Joseph
Mangipudi, Latha	Marston, Dick	McClarren, Donald	McLean, Mark
McNamara, Richard	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, Michael	Ober, Russell	Ohm, Bill
Parison, James	Proulx, Mark	Rice, Kimberly	Roberts, Carol
Rokas, Ted	Rouillard, Claire	Shattuck, Gilman	Simmons, Tammy
Smith, Gregory	Smith, Timothy	Snow, Kendall	Takesian, Charlene
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Brewster, Michael	Carson, Clyde
Frazer, June	French, Barbara	French, Harold	Henle, Paul
Hill, Gregory	Hirsch, Geoffrey	Kidder, David	Kuch, Bill

Marple, Richard
Parent, Jason
Saunderson, George
Wheeler, Deborah
McGuire, Carol
Patten, Dick
Seaworth, Brian
McGuire, Dan
Ratzki, Mario
Turcotte, Alan
Myler, Mel
Rice, Harold (Chip)
Wallner, Mary Jane

ROCKINGHAM

Abramson, Max
Cahill, Michael
Cook, Allen
Doucette, Fred
Gordon, Pamela
Itse, Daniel
Major, Norman
Osborne, Jason
Schroadter, Adam
Thomas, Douglas
Ward, Gerald
Baldasaro, Alfred
Cali-Pitts, Jacqueline
Cushing, Robert
Duarte, Joe
Griffin, Mary
Kellogg, Shem
McBeath, Rebecca
Potucek, John
Spillane, James
True, Chris
Webb, James
Barnes, Arthur
Cardon, G. Thomas
DeSimone, Debra
Emerick, J. Tracy
Guthrie, Joseph
Lovejoy, Patricia
Milz, David
Prudhomme-O'Brien, Katherine
Tamburello, Daniel
Tucker, Pamela
Woitkun, Steven
Berrien, Skip
Chirichiello, Brian
DiFranco, Debbie
Ferrante, Beverly
Heffron, Frank
Lundgren, David
O'Connor, John
Rice, Frederick
Tasker, Kyle
Vose, Michael
Wood, David

STRAFFORD

Beaudoin, Steven
Cilley, Jacalyn
Jones, Laura
Leeman, Don
Stevens, Audrey
Wuelper, Kurt
Bickford, David
Groen, Warren
Kaczynski, Jr., Thomas
Mullen, John
Treleaven, Susan
Bixby, Peter
Hannon, Joseph
Kaen, Naida
Schmidt, Peter
Verschueren, James
Cheney, Catherine
Horrigan, Timothy
Knowles, Robert
Spang, Judith
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest
Laware, Thomas
Cloutier, John
Oxenham, Lee
Converse, Larry
Schmidt, Andrew
Grenier, James

NAYS - 132

BELKNAP

Dumais, Russell
Luther, Robert
Fields, Dennis
Spanos, Peter
Hurt, George
Tilton, Franklin
LeBreche, Shari

CARROLL

Chandler, Gene
Nelson, Bill
Cordelli, Glenn
Parker, Harold
McCarthy, Frank
Schmidt, Stephen
McConkey, Mark

CHESHIRE

Ames, Richard
Phillips, Larry
Emerson, Susan
Weber, Lucy
Hunt, John
Parkhurst, Henry

COOS

Hatch, William
Richardson, Herbert
Tholl, John

GRAFTON

Almy, Susan
Hennessey, Martha
Piper, Wendy
Brown, Duane
Ladd, Rick
White, Andrew
Cooney, Mary
Maes, Kevin
Ford, Susan
Massimilla, Linda

HILLSBOROUGH

Backus, Robert
Boehm, Ralph
Gargasz, Carolyn
Haefner, Robert
LeBrun, Donald
Balcom, John
Cote, David
Goley, Jeffrey
Hansberry, Daniel
Leishman, Peter
Barry, Richard
DiSilvestro, Linda
Gould, Linda
Hinch, Richard
Long, Patrick
Biggie, Barbara
Forest, Armand
Griffin, Barbara
Infantine, William
Manley, Jonathan

Martel, Andre	McCarthy, Peggy	O'Neil, William	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Rosenwald, Cindy	Rowe, Robert
Seidel, Carl	Soucy, Timothy	Souza, Kathleen	Straight, Phillip
Sullivan, Daniel	Sullivan, Victoria		

MERRIMACK

Bradley, Paula	Deloge, Helen	Doherty, David	Ebel, Karen
Gile, Mary	Hess, David	Horn, Werner	Karrick, David
Kenison, Linda	Kotowski, Frank	Long, Douglas	Luneau, David
MacKay, James	Martin, John	Rogers, Katherine	Schuett, Dianne
Shurtleff, Stephen			

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Bates, David
Belanger, Ronald	Borden, David	Chase, Francis	Christie, Andrew
Devine, James	Elliott, Robert	Fesh, Robert	Francese, Paula
Gannon, William	Gordon, Richard	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Kappler, Lawrence
Kolodziej, Walter	Manning, John	Matthews, Carolyn	McKinney, Betsy
Nigrello, Robert	Pantelakos, Laura	Sanders, Elisabeth	Sherman, Thomas
Simpson, Alexis	Sytek, John	Ward, Joanne	Welch, David

STRAFFORD

Baber, William	Berube, Roger	Burton, Wayne	DiSesa, Len
Gardner, Janice	Gray, James	Rollo, Deanna	Southworth, Thomas
Sprague, Dale	Turcotte, Leonard	Wall, Janet	Ward, Kenneth

SULLIVAN

Gagnon, Raymond	Gottling, Suzanne	Rollins, Skip	Smith, Steven

and the minority committee report was adopted and ordered to third reading.

HB 292, expanding the good Samaritan law to engineers and architects. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Frank H. Heffron for the Majority of Judiciary. This bill, as amended, grants immunity from civil suit to licensed engineers and architects rendering assistance in certain emergencies. Engineers and architects can provide invaluable advice or assistance in emergencies where the structural integrity of a building or portion thereof is in question, but they are often reluctant to do so for fear of becoming liable for civil damages alleged to have been caused by their acts or omissions in providing such assistance. This bill offers reasonable protections against the threat of such liability and will encourage more engineers and architects to provide such assistance when it is most needed. The bill contains adequate safeguards against abuse. The architect or engineer's advice must be rendered in good faith, voluntarily and without compensation. The professional must be licensed and must be acting under the direction of the director of the division of homeland security and emergency management, the state fire marshal or a town or city emergency management director who is managing a natural or human cause disaster or other life-threatening emergency. The immunity granted by this bill does not apply to acts or omissions constituting gross negligence, or wanton or willful misconduct. This bill as amended is supported by a broad range of public agencies and professional organizations and had strong bipartisan support in the Judiciary Committee. Vote 13-2.

Rep. Michael J. Sylvia for the Minority of Judiciary. This bill, which provides immunity to architects, engineers, and architectural and engineering firms, is unnecessary. The broad language in this bill covers 'disaster or other life-threatening emergency' which might affect 'any building, structure, or system, whether publicly or privately owned.' These firms have lobbied heavily for the privilege to become volunteers. They receive training from the department of homeland security and in the event of a 'life-threatening emergency' are empowered to condemn privately owned buildings, with no risk of being held liable. This bill shifts responsibility for these decisions from public officials onto government trained 'volunteers' and unlike RSA 508:12-b (immunity for volunteer/call fire and

rescue) there is no accountability retained by the public body. This bill is an assault on government accountability and transparency, and degrades the property rights of our citizens under the guise of an emergency. We have suffered natural disasters in the past; there is no reason to think we can't meet future challenges without this bill.

Majority Amendment (0210h)

Amend the introductory paragraph of RSA 508:12-c, I as inserted by section 1 of the bill by replacing it with the following:

I. Any engineer or engineering firm, architect, or architectural firm licensed pursuant to RSA 310-A who, in good faith, voluntarily and without charge or compensation, acting under the direction of the director of the division of homeland security and emergency management, the state fire marshal, or a town or city emergency management director who is managing a natural or human caused disaster or other life-threatening emergency, provides professional advice or assistance in connection such disaster or emergency, shall not be liable for any civil damages alleged to have been caused by the acts or omissions of such licensed professional or firm in providing the requested professional advice or assistance, subject to the following conditions:

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Sylvia spoke against.
Rep. Heffron spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Ammon moved that **HB 292,** expanding the good Samaritan law to engineers and architects, be laid on the table.

On a division vote, 119 members having voted in the affirmative and 206 in the negative, the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 235 - NAYS 105

YEAS - 235

BELKNAP

Fields, Dennis	Hurt, George	Luther, Robert	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Butler, Edward	Chandler, Gene	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Wright, Ted			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Emerson, Susan	Hunt, John	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Richardson, Herbert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Darrow, Stephen	Gionet, Edmond	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ingbretson, Paul	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Booras, Efstathia	Brown, Pamela	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Donovan, Daniel
Estevez, Eric	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Hansen, Peter
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Hopper, Gary	Infantine, William	Jack, Martin	LeBrun, Donald
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
Martel, Andre	McCarthy, Peggy	McLean, Mark	McNamara, Richard
O'Brien, Michael	O'Neil, William	Palmer, Barry	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Roberts, Carol
Rokas, Ted	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Seidel, Carl	Shattuck, Gilman	Smith, Gregory	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David	Zaricki, Nick		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Luneau, David	MacKay, James	Myler, Mel	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Belanger, Ronald
Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Cushing, Robert	DeSimone, Debra	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Gordon, Pamela	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen
Introne, Robert	Lovejoy, Patricia	Lundgren, David	Major, Norman
Manning, John	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Pantelakos, Laura	Prudhomme-O'Brien, Katherine	Sanders, Elisabeth	Sherman, Thomas
Simpson, Alexis	Sytek, John	Thomas, Douglas	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Jones, Laura	Kaen, Naida	Leeman, Don	Rollo, Deanna
Schmidt, Peter	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Verschueren, James	Wall, Janet
Ward, Kenneth	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Oxenham, Lee	Smith, Steven

NAYS - 105

BELKNAP

Aldrich, Glen	Dumais, Russell	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	LeBreche, Shari	Spanos, Peter	Sylvia, Michael

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn

CHESHIRE

Bordenet, John	McConnell, Jim	Parkhurst, Henry	Sterling, Franklin
Tilton, Benjamin			

COOS

Rappaport, Laurence	Rideout, Leon	Theberge, Robert

GRAFTON

Brown, Duane	Hennessey, Erin	Johnson, Eric	Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Bouldin, Amanda	Burt, John
Coffey, James	Eastman, Eric	Edwards, Elizabeth	Ferreira, Elizabeth
Forest, Armand	Fromuth, Bart	Gorman, Mary	Gould, Linda
Goulette, William	Halstead, Carolyn	Hogan, Edith	Lachance, Joseph
Marston, Dick	McClarren, Donald	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	Ober, Russell	Ohm, Bill
Parison, James	Rice, Kimberly	Simmons, Tammy	Souza, Kathleen
Sullivan, Victoria	Wolf, Terry		

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Horn, Werner	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
Patten, Dick	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Kolodziej, Walter	Osborne, Jason	Potucek, John
Rice, Frederick	Schroadter, Adam	Spillane, James	Tamburello, Daniel
Tasker, Kyle	True, Chris	Tucker, Pamela	Vose, Michael
Woitkun, Steven			

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Gray, James	Groen, Warren
Hannon, Joseph	Horrigan, Timothy	Kaczynski, Jr., Thomas	Knowles, Robert
Mullen, John	Turcotte, Leonard		

SULLIVAN

Laware, Thomas	Rollins, Skip	Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Joseph M. Hagan for the Majority of Judiciary. This is a free speech issue, not a right-to-life issue. Last term, RSA 132:27-132:30 was enacted that limited peaceful demonstrations by our citizenry. A Massachusetts law, which is materially indistinguishable for the New Hampshire law was found unconstitutional, unanimously by the supreme court of the United States. The majority of the committee supports repeal to support our constitution and avoid costs of defending the indefensible. Vote 10-9.

Rep. Paul S. Berch for the Minority of Judiciary. The minority believes the legislature should not repeal a recently enacted law while the constitutionality of that law is currently being determined by a federal court. Traditional practice would suggest not interrupting that process. There are significant and material differences between the New Hampshire and Massachusetts law.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Berch spoke against and yielded to questions.
Reps. Hagan and Souza spoke in favor.
Rep. Heath spoke against.
Rep. Potucek requested a roll call; sufficiently seconded.

YEAS 170 - NAYS 159

YEAS - 170

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen			

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim

COOS

Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Brown, Duane	Gionet, Edmond	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Shackett, Jeffrey	

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry
Gonzalez, Carlos	Gould, Linda	Goulette, William	Griffin, Barbara
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	Ober, Russell	Ohm, Bill	Palmer, Barry
Pellegrino, Anthony	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Seidel, Carl	Simmons, Tammy	Souza, Kathleen	Straight, Phillip
Sullivan, Victoria	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Kuch, Bill
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian		

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Spillane, James
Tamburello, Daniel
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Webb, James
Welch, David

STRAFFORD

Beaudoin, Steven
Berube, Roger
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Gagnon, Raymond
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 159

CARROLL

Butler, Edward
Ticehurst, Susan
Wright, Ted

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Moynihan, Wayne
Rappaport, Laurence
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Peterson, Ken
Pierce, David
Proulx, Mark
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Horn, Werner	Karrick, David	Kenison, Linda
Kidder, David	Kotowski, Frank	Long, Douglas	Luneau, David
MacKay, James	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cardon, G. Thomas	Cushing, Robert	DiFranco, Debbie	Elliott, Robert
Fesh, Robert	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Sytek, John	Ward, Gerald	Wood, David

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gottling, Suzanne
Grenier, James	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Shurtleff moved that the House reconsider its action whereby, on a roll call vote of 170-159, the House adopted the majority committee report of Ought to Pass on **HB 403-FN,** repealing the law relative to providing certain parameters for access to reproductive health care facilities.

Rep. Shurtleff withdrew his motion due to not having voted on the prevailing side.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hopper moved that the House reconsider its action whereby, on a roll call vote of 170-159, the House adopted the majority committee report of Ought to Pass on **HB 403-FN,** repealing the law relative to providing certain parameters for access to reproductive health care facilities.

Rep. Hopper spoke against.

Rep. Rosenwald spoke in favor and requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 180

YEAS - 161

CARROLL

Butler, Edward	Ticehurst, Susan	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Peterson, Ken
Pierce, David
Proulx, Mark
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Long, Douglas
Luneau, David
MacKay, James
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Cushing, Robert
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
Major, Norman
McBeath, Rebecca
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Oxenham, Lee
Schmidt, Andrew

NAYS - 180

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen			

CHESHIRE

Bordenet, John	Emerson, Susan	Hunt, John	McConnell, Jim

COOS

Fothergill, John	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Brown, Duane	Darrow, Stephen	Gionet, Edmond	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Lachance, Joseph
LeBrun, Donald	Marston, Dick	Martel, Andre	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Rice, Kimberly
Rowe, Robert	Seidel, Carl	Simmons, Tammy	Souza, Kathleen
Straight, Phillip	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Kotowski, Frank
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
DeSimone, Debra	Devine, James	Duarte, Joe	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter	Lundgren, David
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Osborne, Jason	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth	Spillane, James
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Woitkun, Steven	Wood, David

STRAFFORD

Beaudoin, Steven	Berube, Roger	Bickford, David	Cheney, Catherine
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Grenier, James Laware, Thomas Rollins, Skip Smith, Steven

and the motion failed.

REGULAR CALENDAR CONT'D

HB 443, clarifying the equity jurisdiction of the judicial branch family division. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Woodbury for the Majority of Judiciary. Under current law, the judicial branch family division has the powers of a court of equity, not withstanding any law to the contrary. This bill makes that equity power subservient to any other special provision made by law. A majority of the committee had difficulty understanding what practical effect this change would make in the jurisdiction and powers of the family division. It is also unclear what a "special provision" might be which would trump the family division's equity power. With these uncertainties in mind, a majority of the committee could not support this measure. Vote 12-6.

Rep. Kurt F. Wuelper for the Minority of Judiciary. This bill aims to clarify the boundary of the equity jurisdiction of our family courts. The minority believes this is a necessary step toward providing some certainty about family court proceedings by simply clarifying that existing equity law remains in force and family courts must comply with it.

Majority committee report adopted.

HB 446, relative to access to investigational drugs, biological products, and devices. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joseph M. Hagan for the Majority of Judiciary. The intent of this bill is to allow persons with terminal illnesses access to investigational drugs. Despite, the deepest compassion for our afflicted neighbors, the majority felt this is not good legislation. First, the subject matter experts including the Federal Drug Administration (FDA) and the American Society of Clinical Oncologists oppose this concept. Secondly, no pharmaceutical company has supplied phase 1 drugs to terminally ill individuals nor would any results obtained from treatment be valid for investigational purposes. Thirdly, the D.C. circuit has en banc decision denied that access to investigational drugs was a constitutional right. Lastly, it was of deep concern that unscrupulous providers would prey on the vulnerable with treatments unlikely to have a positive clinical outcome but very likely to drain family resources. Vote 10-5.

Rep. Michael J. Sylvia for the Minority of Judiciary. This bill would allow people with a diagnosed terminal illness access to investigational drugs, biological products, and devices. The process of approval for such products takes several years, time that people with a terminal illness do not have. In order to be eligible, a patient must have a condition for which no FDA approved treatment is available, and the risk associated with the treatment must be lesser than the underlying condition. It is a fundamental right of all people to determine what choice is best in their life; the government should not interfere with the exercise of this right.

LAID ON THE TABLE

Rep. Wright moved that **HB 446,** relative to access to investigational drugs, biological products, and devices, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 461, prohibiting the use or application of foreign laws in the state court. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Woodbury for the Majority of Judiciary. This bill purports to ban the application of foreign law in New Hampshire courts. However, the bill as drafted is such a mass of exceptions that it may be fairly seen as all "hole and no cheese." For example, exceptions are provided for choices of foreign law contained in contracts; it does not apply to the exercise by religious courts of the normal functions of those courts; and it does not apply in cases of conflict with federal treaties or international agreements to which the United States is a party to the extent that such agreement or treaty preempts state law. Finally, this bill does not apply to conflicts with New Hampshire law on the enforcement of foreign judgments. The proponents of this measure did not provide the committee any specific instances where this bill, if passed, would apply or what it would do for the legal

system of this state. This bill is supposed to protect the citizens of this state from the imposition of foreign laws, but the exceptions, required to conform to the United States Constitution are so broad as to have no legal effectiveness. Foreign laws and foreign judgments have been applied in our courts for generations. This bill is an ineffective attempt to impose a legal system that is unwise and unworkable. Vote 12-1.

Rep. Robert Hull for the Minority of Judiciary. This bill aims to preclude the use of foreign law in New Hampshire, which would violate any fundamental right under the United States Constitution, or the New Hampshire Constitution. The minority felt this bill will give guidance to the courts and protect New Hampshire citizens from the application of foreign law going forward.

LAID ON THE TABLE

Rep. Burt moved that **HB 461,** prohibiting the use or application of foreign laws in the state court, be laid on the table.

Rep. Coffey requested a roll call; not sufficiently seconded.

On a division vote, 187 members having voted in the affirmative and 140 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 470, relative to jury nullification. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul S. Berch for the Majority of Judiciary. This bill seeks to allow juries in all courts – civil and criminal – to disregard the law when it considers verdicts. The judiciary committee by a bipartisan 11-2 margin felt this bill would undermine the rule of law and respect for the legal system, allow prejudice to substitute for considered application of the law, is anti-business and would most certainly allow for the conviction of innocent persons. If each jury were to become a mini-legislature, there is no provision as to how and on what basis a jury would analyze a law to see whether it should be followed or even how prosecution and defense would make that argument. The committee was concerned that, under this bill, a jury could choose to ignore the presumption of innocence and the need to prove guilt beyond a reasonable doubt. Popular defendants could be acquitted regardless of guilt; unpopular defendants could be convicted regardless of innocence. The committee also noted the probable unconstitutionality of this bill, and the difficulties that businesses would have resolving conflicts in court, if juries could ignore the law in deciding disputes. Vote 11-2.

Rep. Michael J. Sylvia for the Minority of Judiciary. Governor John Lynch signed into law HB 146 in 2012, which acknowledged the right of a jury to judge the application of the law in relationship to the facts in controversy. This change to the law was very much in keeping with the statement by former President John Adams (1771): "It's not only (the juror's) right, but his duty, in that case, to find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court." Furthermore in a case from the 1790's Chief Justice Jay authored the following as part of the majority decision: "It may not be amiss, here, gentlemen, to remind you of the good old rule, that on questions of fact, it is the province of the jury, on questions of law, it is the province of the court to decide. But it must be observed that by the same law, which recognizes this reasonable distribution of jurisdiction, you have nevertheless a right to take upon yourselves to judge of both, and to determine the law as well as the fact in controversy. On this, and on every other occasion, however, we have no doubt, you will pay the respect, which is due to the opinion of the court: for, as on the one hand, it is presumed, that juries are the best judges of facts; it is, on the other hand, presumable, that the court are the best judges of law. But still both objects are lawfully, within your power of decision." However, in 2014, the NH Supreme Court restated its opinion that, the 'Wentworth instruction is sufficient notice to the jury of its right to judge both the facts and the law.' The Wentworth instruction reads, "If you have a reasonable doubt as to whether the State has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. However, if you find that the state has proved all of the elements of the offense charged beyond a reasonable doubt, you should find the defendant guilty." The proponents for this bill argued that the Wentworth instruction is insufficient to provide the necessary relief within the court system and that the current instruction does not go far enough and that in fact, the jury has the right to judge the law as applied in that case. It is clear to the minority that jurors are not being clearly advised of their rights and as a result, defendants are not being afforded due process. This is a fundamental function of our constitution.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Sylvia spoke against.
Rep. Berch spoke in favor and yielded to questions.
Rep. Itse requested a roll call; sufficiently seconded.

YEAS 233 - NAYS 108

YEAS - 233

BELKNAP

Fields, Dennis	Hurt, George	Luther, Robert	Spanos, Peter
Tilton, Franklin	Vadney, Herbert		

CARROLL

Butler, Edward	Chandler, Gene	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Balcom, John	Belanger, James	Biggie, Barbara
Booras, Efstathia	Brown, Pamela	Christensen, Chris	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Forest, Armand	Freitas, Mary
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Jack, Martin
Kurk, Neal	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	Martel, Andre	McCarthy, Peggy	McLean, Mark
McNamara, Richard	O'Brien, Michael	O'Neil, William	Ohm, Bill
Palmer, Barry	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Roberts, Carol	Rokas, Ted	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Shattuck, Gilman	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Wolf, Terry	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David

Kotowski, Frank
Luneau, David
MacKay, James
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Pamela
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Pantelakos, Laura
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Thomas, Douglas
Ward, Gerald
Ward, Joanne
Webb, James
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 108

BELKNAP

Aldrich, Glen
Dumais, Russell
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
LeBreche, Shari
Sylvia, Michael
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Brown, Duane
Darrow, Stephen
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christie, Rick
Coffey, James
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Gould, Linda
Goulette, William
Halstead, Carolyn
Hansen, Peter
Hogan, Edith
Hopper, Gary
Infantine, William
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McClarren, Donald
Moore, Josh
Murotake, David

Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell
Parison, James	Rice, Kimberly	Seidel, Carl	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Sullivan, Victoria	Twombly, Timothy
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Belanger, Ronald
Chase, Francis	Duarte, Joe	Emerick, J. Tracy	Gordon, Richard
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Osborne, Jason	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Tamburello, Daniel	Tasker, Kyle	True, Chris	Tucker, Pamela
Vose, Michael	Welch, David	Wood, David	

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Turcotte, Leonard
Whitehouse, Joshua			

SULLIVAN

Laware, Thomas	Rollins, Skip

and the majority committee report was adopted.

HB 595-FN, relative to banning abortion after viability. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Claire A. Rouillard for the Majority of Judiciary. This bill, as amended, prevents a pregnant woman from having an abortion post viability, except when necessary to preserve the life or health of the pregnant woman, to remove a dead fetus, or to remove a fetus with severe anomalies incompatible with life. "Viability" as defined in this amendment, is when the state of fetal development may be continued indefinitely outside the womb naturally. The original house bill defined viability as a fetus with a post fertilization age of 21 weeks and 5 days, which was not supported by many medical experts who testified at the committee hearing. The amendment states that viability and the decision to terminate a pregnancy shall be solely that of the pregnant woman in consultation with her physician. The amendment further states that only a licensed physician may perform a post viability abortion. The amendment provides that a physician who performs an abortion in violation of this chapter shall be guilty of a class B misdemeanor and subject to disciplinary action under RSA 329, which is the Physicians and Surgeons Statute. HB 595 had issues involving its constitutionality, potential HIPAA violations, legal challenges on standing enabling siblings to bring an injunction, as well as other enforcement issues. Lastly, the original bill was on the road to litigation, with the cost paid by New Hampshire taxpayers. Because this is an important issue to many, the committee felt a rewrite of the bill, with an amendment, was necessary. Vote 12-7.

Rep. Timothy O. Horrigan for the Minority of Judiciary. The bill, as amended, totally replaced the original bill. The minority believes that the amendment, as passed, needed additional work.

Majority Amendment (0748h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Viable Fetus Protection Act. Amend RSA by inserting after chapter 132-A the following new chapter:

CHAPTER 132-B

VIABLE FETUS PROTECTION ACT

132-B:1 Title. This chapter shall be known and may be cited as the Viable Fetus Protection Act.

132-B:2 Policy; Applicability.

I. It shall be the public policy of New Hampshire that the state shall not restrict a woman's exercise of her private decision to terminate a pregnancy before viability except as provided in RSA 132:32 – RSA 132:36.

II. Nothing in this chapter shall be construed to change accepted medical practice pursuant to RSA 326-B:11 relating to abortions prior to fetal viability.

132-B:3 Definitions. In this chapter:

I. "Abortion" means the use or prescription of any instrument, medicine, drug, or any other substance or device intentionally to terminate the pregnancy of a female known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove an ectopic pregnancy or the products from a spontaneous miscarriage.

II. "Viability" means the state of fetal development when the life of the fetus may be continued indefinitely outside the womb naturally.

132-B:4 Abortion After Viability Prohibited; Exception.

I. The determination of viability and the decision to terminate a pregnancy shall be solely that of the pregnant woman in consultation with her physician.

II. No abortion shall be performed upon a pregnant woman after viability of the fetus except when necessary to preserve the life or health of the pregnant woman, to remove a dead fetus, or to remove a fetus with severe anomalies incompatible with life.

III. All post viability abortions shall be performed by a licensed physician.

132-B:5 Penalty; Disciplinary Actions. Any physician who performs an abortion in violation of this chapter shall be guilty of a class B misdemeanor. In addition, any physician violating the chapter shall be subject to disciplinary action under RSA 329.

2 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill establishes the viable fetus protection act which prevents abortions beyond viability.

LAID ON THE TABLE

Rep. Rowe moved that **HB 595-FN,** relative to banning abortion after viability, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 606-FN-L, relative to costs for public records filed electronically. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael J. Sylvia for the Majority of Judiciary. The people's right to access governmental records is an important function of RSA 91-A. Maintaining transparency of government is one of our constitutional duties. HB 606 incorporates similar concepts which were presented in three bills all addressing access to governmental records under RSA 91-A:4 IV; HB 606, HB 138 and HB 656. All three sought to make clear that there should be no fee charged for the inspection of records made available under 91-A. HB 606 as amended, also includes access to online records without a charge. Vote 14-4.

Rep. Charlene F. Takesian for the Minority of Judiciary. This bill was originally submitted to allow for a fee for actual costs to send information electronically. The committee had several bills submitted that dealt with costs of public records and attempted to combine them into one bill. However, in the process the fee to charge for electronic transmission was omitted. The minority believed that the original intent of the bill should have been honored.

Majority Amendment (0691h)

Amend RSA 91-A:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Each public body or agency shall, upon request for any governmental record reasonably described, make available for inspection and copying any such governmental record within its files when such records are immediately available for such release. If a public body or agency is unable to make a governmental record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a computer, photocopy-

ing machine, or other device maintained for use by a public body or agency is used by the public body or agency to copy the governmental record requested, the person requesting the copy may be charged the actual cost of providing the ***paper*** copy, which cost may be collected by the public body or agency. ***No fee shall be charged for records online. No fee shall be charged to make such governmental record available for inspection and no fee shall be charged for inspection of such record.*** Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.

AMENDED ANALYSIS

This bill prohibits a public body or agency from charging a fee for making a governmental record available for inspection or from charging a fee for inspection of such record.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Lachance requested a roll call; sufficiently seconded.

YEAS 321 - NAYS 18

YEAS - 321

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	McConnell, Jim	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Bennett, Travis	Brown, Chris	Brown, Duane	Cooney, Mary
Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Shackett, Jeffrey	Sykes, George	Townsend, Charles

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	Donovan, Daniel
Eastman, Eric	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Freitas, Mary	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn

Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jack, Martin
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shattuck, Gilman
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Hess, David
Hill, Gregory
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Pantelakos, Laura
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Sherman, Thomas
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Gray, James
Groen, Warren
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John

Rollo, Deanna | Schmidt, Peter | Smith, Marjorie | Southworth, Thomas
Spang, Judith | Sprague, Dale | Stevens, Audrey | Treleaven, Susan
Turcotte, Leonard | Verschueren, James | Wall, Janet | Ward, Kenneth
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest | Cloutier, John | Converse, Larry | Gagnon, Raymond
Gottling, Suzanne | Grenier, James | Laware, Thomas | Oxenham, Lee
Rollins, Skip

NAYS - 18

GRAFTON

Abel, Richard | Almy, Susan | Smith, Suzanne | White, Andrew

HILLSBOROUGH

DiSilvestro, Linda | Forest, Armand | Gorman, Mary | Herbert, Christopher
O'Neil, William

MERRIMACK

Henle, Paul | Karrick, David | Kenison, Linda
Rockingham
Allen, Mary | Borden, David | Cali-Pitts, Jacqueline | Simpson, Alexis

STRAFFORD

Wuelper, Kurt

SULLIVAN

Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.
Rep. Gorman voted Nay and intended to vote Yea.

(Speaker Jasper in the Chair)

HB 613, relative to governmental records exempted under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Timothy O. Horrigan for Judiciary. This bill, as amended, protects the confidentiality of fish and game licenses, and similar licenses. The names and addresses of license-holders would no longer be available when right-to-know requests are made. Professional license-holders' names would still be available. Vote 14-3.

Amendment (0744h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Right-to-Know; Exemptions. Amend RSA 91-A:5 by inserting after paragraph IV the following new paragraph:

IV-a. Except as otherwise provided by law, the names and addresses of individuals contained in license applications, other than professional license applications. For the purposes of this paragraph, "license" means "license" as defined in RSA 541-A:1, VIII.

Committee amendment adopted.
Committee report adopted and ordered to third reading.

HB 646-FN-L, allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. David Woodbury for the Majority of Judiciary. This bill threads the needle between an individual's right to free and full access to public records and the taxpayer's right to be free from bearing the substantial costs of unreasonable or abusive document retrievals. This bill permits a public body to levy a fee for a response to a document request not to exceed minimum wage and only after the first hour, which is free of charge. No charge may be made for minutes of meetings occurring within the year prior to the request. Charges may be waived for those demonstrating an inability to pay like all compromises, this one imperfectly satisfies the two sides, but does offer taxpayer an increased level of protection. Vote 14-4.

Rep. Michael J. Sylvia for the Minority of Judiciary. This bill would allow public bodies to estimate the time required to retrieve records requested under the right to know law (RSA 91-A). If the time to retrieve records is estimated to be greater than one hour, the person making the request might be required to make payment prior to the records retrieval. The committee heard from a number of public bodies reporting stories of abusive requests under 91-A; missing from these stories was any substantive example of an abusive request. Members of the public and the press strongly object to this bill and find the policy to be chilling to open and transparent government. While compliance with 91-A carries a cost to public bodies, these costs serve as an incentive to streamline records management to control costs. In the balance, we have a constitutional duty to maintain transparency in government; this bill would be a step in the wrong direction.

Majority Amendment (0753h)

Amend RSA 91-A:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Each public body or agency shall, upon request for any governmental record reasonably described, make available for inspection and copying any such governmental record within its files when such records are immediately available for such release. If a public body or agency is unable to make a governmental record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a computer, photocopying machine, or other device maintained for use by a public body or agency is used by the public body or agency to copy the governmental record requested, the person requesting the copy may be charged the actual cost of providing the copy, which cost may be collected by the public body or agency. Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged. ***No charge shall be imposed for allowing a person to inspect a record that is immediately available.***

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Paragraph; Right-to-Know; Charges for Retrieval of Governmental Records. Amend RSA 91-A:4 by inserting after paragraph IV the following new paragraph:

IV-a. A public body may charge a fee to cover the actual labor cost of retrieving and copying the requested records, including reviewing and redacting confidential and other exempt information, subject to the following:

(a) The amount charged per hour shall not exceed the applicable minimum wage, and no charge shall be made for the first hour.

(b) The public body or agency shall provide the requester with a reasonable estimate of the time necessary to respond to the request and of the total cost. If the estimate of the total cost exceeds $50, the requester may be required to pay all or a portion of the cost prior to retrieval of the records. If the final cost differs from the estimate, the difference shall be refunded or collected, as the case may be, at the time the records are provided.

(c) No charge shall be made for the cost of searching for or retrieving minutes of any public body meeting that occurred less than one year before the date of the request.

(d) Upon request, the public body or agency shall provide a detailed itemization of the costs charged.

(e) A court may reduce or waive the fees charged if it determines that the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government.

(f) The public body or agency may waive any charges for an individual who demonstrates an inability to pay.

LAID ON THE TABLE

Rep. Hinch moved that **HB 646-FN-L,** allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 267-FN, requiring employers to verify an employee's eligibility to work in the United States. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Brian Seaworth for the Majority of Labor, Industrial and Rehabilitative Services. This bill, as proposed, would mandate the E-Verify system on the State and all political subdivisions, as well as all its contractors and subcontractors. E-Verify is an internet-based system that allows participating companies to compare information from an employee's form I-9 to homeland security and social security records to validate employment eligibility. Registration in this program is available, without charge, to all U.S. employers. The submitted version of the bill was overly broad, and the committee was asked to rework the bill to force only public employers into the program. While restricting the scope would mitigate the costs on some employers, employers testifying before the committee do expect administrative and compliance costs. This additional expenditure of tax money would be to address an issue that nobody testified was a problem: the employment of ineligible workers by the State of NH and its political subdivisions. The bipartisan majority of the committee, while concerned about the illegal immigration issue, cannot recommend this bill as a solution. Vote 14-6.
Rep. Fred Doucette for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes the compliance with the electronic verification of work authorization program of the illegal immigration reform and immigration responsibility act of 1996 operated by the department of homeland security known as "E-Verify" or any equivalent program designed by the department of homeland security is an imperative tool to verify the employment eligibility of any newly hired public employee.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Duarte spoke against.
Rep. Seaworth spoke in favor.
Rep. Edwards requested a roll call; not sufficiently seconded.
On a division vote, 271 members having voted in the affirmative and 64 in the negative, the majority committee report was adopted.

The House recessed at 12.03 p.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR CONT'D

SPECIAL ORDER

HB 431, relative to the placement of all new elective electric transmission lines in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. David K. Murotake for the Majority of Science, Technology and Energy. This bill has high popular support amongst north country residents wishing to force northern pass to bury its transmission lines. The bill instructs the site evaluation committee (SEC) that "use of existing public rights of way" and "burial of electric transmission lines with supports over 50 feet," will be the "preferred" option for the positioning of all new elective electric transmission lines. It further instructs the SEC to "presume that any line not required for system reliability and not proposed to be substantially buried will have an unreasonably adverse effect on aesthetics." Given the changes made by SB 245 (2014) now chaptered law, the wording in this bill virtually mandates any future elective electric transmission project to be buried and use public rights of way, to gain siting approval by the SEC. Passage of this bill would certainly discourage future elective projects (funded by private industry), resulting in the loss of local jobs. This bill increases ratepayer costs, and has other unintended consequences. The bill would hinder growth of industry in New Hampshire, and is anti-business. The current law RSA 162-H, "Site Evaluation Committee," newly revised in 2014, achieves the goals of HB 431 without appearing to be a virtual mandate for burial of elective electric transmission lines, and without being legislation specifically tailored to target a single project - northern pass. Vote 11-8.
Rep. Laurence M. Rappaport for the Minority of Science, Technology and Energy. The minority agrees with the bill's author that burial is the preferred method of electrical transmission. We believe that many folks and businesses move here because of the unparalleled natural beauty and

that burial has an extremely low cost of maintenance. We think that overall cost is site specific and cannot be determined without a major engineering study, but the committee heard testimony that burial in certain conditions can actually be less expensive than aerial transmission. We recommend state transportation rights-of-way because we are giving them two uses instead of one and because the underlying soil has been disturbed, so blasting is generally not needed. We don't believe people should lose a major part of their investment due to an adjacent power line and we believe income from rental of state transportation rights-of-way should accrue to the state.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Suzanne Smith, Parison, Baber and Rappaport spoke against.
Reps. Murotake and Richardson spoke in favor.
Rep. Rappaport requested a roll call; sufficiently seconded.

YEAS 213 - NAYS 131

YEAS - 213

BELKNAP

Aldrich, Glen	Fields, Dennis	Flanders, Donald	Howard, Jr., Raymond
Hurt, George	Luther, Robert	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

CARROLL

Buco, Thomas	Comeau, Ed	McCarthy, Frank	Parker, Harold
Schmidt, Stephen	Wright, Ted		

CHESHIRE

Ames, Richard	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Hunt, John	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Sterling, Franklin	Tatro, Bruce

COOS

Richardson, Herbert	Tholl, John		

GRAFTON

Gionet, Edmond	Nordgren, Sharon	Sykes, George	White, Andrew

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Booras, Efstathia
Bouldin, Amanda	Brown, Pamela	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Cornell, Patricia
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric
Edwards, Elizabeth	Ferreira, Elizabeth	Forest, Armand	Freitas, Mary
Fromuth, Bart	Gagne, Larry	Goley, Jeffrey	Gonzalez, Carlos
Gould, Linda	Goulette, William	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter
Heath, Mary	Herbert, Christopher	Hinch, Richard	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Marston, Dick	Martel, Andre
McCarthy, Peggy	McLean, Mark	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, Michael	O'Brien, William	O'Neil, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Pierce, David	Proulx, Mark	Rice, Kimberly	Roberts, Carol
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Seidel, Carl
Simmons, Tammy	Smith, Gregory	Snow, Kendall	Soucy, Timothy
Souza, Kathleen	Sullivan, Daniel	Sullivan, Victoria	Williams, Kermit
Wolf, Terry			

MERRIMACK

Brewster, Michael
Doherty, David
French, Barbara
French, Harold
Hess, David
Hoell, J.R.
Horn, Werner
Kenison, Linda
Kotowski, Frank
Kuch, Bill
Martin, John
McGuire, Carol
McGuire, Dan
Rogers, Katherine
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Bates, David
Berrien, Skip
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Potucek, John
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Thomas, Douglas
True, Chris
Vose, Michael
Webb, James
Welch, David
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Berube, Roger
Cheney, Catherine
Cilley, Jacalyn
Groen, Warren
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Rollo, Deanna
Schmidt, Peter
Sprague, Dale
Turcotte, Leonard
Wall, Janet
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Gagnon, Raymond
Grenier, James
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 131

BELKNAP

Dumais, Russell
Fraser, Valerie
Gallagher, Brian
Spanos, Peter
Varney, Peter

CARROLL

Avellani, Lino
Butler, Edward
Cordelli, Glenn
Nelson, Bill
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Emerson, Susan
McConnell, Jim
Parkhurst, Henry
Shepardson, Marjorie
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Rideout, Leon
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Duane
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles

HILLSBOROUGH

Coffey, James	Cohen, Alan	Cote, David	Estevez, Eric
Gargasz, Carolyn	Gidge, Kenneth	Gorman, Mary	Harvey, Suzanne
Hogan, Edith	Hopper, Gary	Jack, Martin	Manley, Jonathan
McClarren, Donald	McNamara, Richard	Moore, Josh	Parison, James
Pellegrino, Anthony	Peterson, Ken	Shattuck, Gilman	Smith, Timothy
Straight, Phillip	Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy
Vann, Ivy	Walsh, Robert	Woodbury, David	Zaricki, Nick

MERRIMACK

Bartlett, Christy	Bradley, Paula	Carson, Clyde	Deloge, Helen
Ebel, Karen	Frazer, June	Gile, Mary	Henle, Paul
Hill, Gregory	Hirsch, Geoffrey	Karrick, David	Kidder, David
Long, Douglas	Luneau, David	MacKay, James	Marple, Richard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Saunderson, George	Turcotte, Alan		

ROCKINGHAM

Abramson, Max	Barnes, Arthur	Belanger, Ronald	Cahill, Michael
Cook, Allen	DiFranco, Debbie	Francese, Paula	O'Connor, John
Rice, Frederick	Sherman, Thomas	Simpson, Alexis	Tamburello, Daniel
Tucker, Pamela	Ward, Gerald	Ward, Joanne	Woitkun, Steven
Wood, David			

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
DiSesa, Len	Gardner, Janice	Gray, James	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Ward, Kenneth		

SULLIVAN

Converse, Larry	Gottling, Suzanne	Irwin, Virginia	Laware, Thomas
Oxenham, Lee			

and the majority committee report was adopted.

SPECIAL ORDER

HB 684-FN, establishing a state minimum hourly rate. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tammy A. Simmons for the Majority of Labor, Industrial and Rehabilitative Services. Data shows that a very small number of people in NH are paid less than $8/hr, let alone $7.25/hr. While rhetoric is that a family cannot afford to live on a job paying minimum wage, the facts are that minimum wage does not equate to what actual NH families live off of. A mere 1.5% of NH's workforce earn the current federal minimum wage of $7.25 and a third of those people are between the ages of 16-19. Additionally, the premise that simply paying an employee more means that the employee has more money to spend and thus more money is going into NH's economy, the reality is that not only does the business owner have $100 less of his money to spend on capital improvements and expansion, but he also has even less due to the additional costs in workers' compensation, liability insurance, federal payroll taxes, and unemployment insurance. Finally, the majority of the committee feels that the market will adjust earnings accordingly based on demand and without the need to be dictated to by the state. As the economy improves in NH and as we work to attract more businesses to our state, the perceived 'problem' of too low wages will fix itself. Vote 12-8.

Rep. Andrew A. White for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes that financial security of the entire workforce is essential to the success of the state's economy. Raising the minimum wage would provide a direct and positive impact to New Hampshire's low wage earners while at the same time putting those earnings back into the economy. New Hampshire's minimum wage has not kept pace with inflation, nor has it kept pace with the surrounding states. The minority believes that providing a modest, gradual, and sustainable increase will help to reduce poverty and reduce dependence on state funded services. The minority is disappointed

that the majority has ignored the fact that over half of New Hampshire's voters agree with raising the minimum wage, that 29 states have minimum wages higher than New Hampshire, and that it is clear that raising the minimum wage does not contribute to job losses.

The question being adoption of the majority committee report of Inexpedient to Legislate.

(Rep. Packard in the Chair)

Rep. Simmons spoke in favor.
Rep. Cilley spoke against and requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 145

YEAS - 198

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Cordelli, Glenn	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Wright, Ted

CHESHIRE

Bordenet, John	Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Brown, Duane	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Piper, Wendy	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gould, Linda
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Straight, Phillip
Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Cardon, G. Thomas	Chirichiello, Brian	Christie, Andrew	Cook, Allen
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Kolodziej, Walter	Lundgren, David	Major, Norman	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Osborne, Jason	Pantelakos, Laura	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth	Schroadter, Adam
Spillane, James	Sytek, John	Tamburello, Daniel	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Grenier, James	Smith, Steven

NAYS - 145

CARROLL

Buco, Thomas

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Hatch, William	Moynihan, Wayne	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Booras, Efstathia	Brown, Pamela	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Goulette, William
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	Murotake, David
O'Brien, Michael	O'Neil, William	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Bartlett, Christy	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Sherman, Thomas
Simpson, Alexis	Ward, Gerald	Woitkun, Steven	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Laware, Thomas	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted.

(Speaker Jasper in the Chair)

MOTION TO SPECIAL ORDER

Rep. Shepardson moved that ***HB 614-FN,*** implementing goals of the state 10-year energy strategy, be made a Special Order as the next order of business.
Rep. Shepardson spoke in favor.
Motion adopted.

SPECIAL ORDER

HB 614-FN, implementing goals of the state 10-year energy strategy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie J. Shepardson for the Majority of Science, Technology and Energy. This bill creates four goals to implement parts of the new 10-year energy strategy. The goals deal with: 1. electric grid modernization, 2. finding incentives for utilities to help their customers reduce usage, 3. a strategy for further development of public (electric vehicle) charging corridors, and 4. establishing an electricity peak time reduction goal. The amendment changes "an incentive plan" to "a report" thereby removing the need for another employee and subsequent money to fund that employee. As it stands, there is no fiscal impact. Vote 11-8.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill attempts to pull off the shelf a 15-year-old state 10-year energy plan and give direction on: 1- a Public Utility Commission (PUC) docket on modernization of the electric grid, 2- a framework for decoupling electric costs from the price of natural gas, and 3 – creating an incentive plan for public charging stations for alternatively fueled vehicles. Testimony revealed that the PUC and Office of Energy Planning (OEP) were already working on these issues. This bill is redundant to those efforts. Not implementing this legislation will save some state agency manpower costs.

Majority Amendment (0452h)

Amend paragraph III of section 1 of the bill by replacing it with the following:

III. The office of energy and planning, with input from the departments of transportation, environmental services, and resources and economic development shall develop and submit to the

speaker of the house of representatives and the senate president a report on the status of and the preferred strategy to prioritize further development of public charging corridors, including Interstate 93, Interstate 89 and Interstate 95. The report shall be submitted on or before December 31, 2015. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Vose spoke against.
Rep. Shepardson spoke in favor.
On a division vote, 267 members having voted in the affirmative and 67 in the negative, the majority committee report was adopted and ordered to third reading.

REGULAR CALENDAR CONT'D

HB 365, prohibiting an employer from using credit history in employment decisions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Gregory Hill for the Majority of Labor, Industrial and Rehabilitative Services. This bill seeks to eliminate the opportunity for employers to use credit history in evaluating prospective employees. The National Federation of Independent Business (NFIB) correctly argues that small employers need "every tool they can use to make smart hiring decisions." However, the starkness of that truth is not restricted to small business. The majority, while sympathetic to prospective employees caught in a "spiral" of job loss leading to foreclosure and bankruptcy that appears symptomatic of bad economic times in NH, nevertheless feel that most employers who seek "good" employees will go the extra step to ascertain the cause of any credit problems. While there may be a great many reasons for credit issues, there are at least as many occupations where credit history is required for security clearances and concerns. At what point does restricting an employer's "due diligence" opportunities lead to reducing their desire to grow their business for fear of making the wrong decision? It is for all these reasons the committee recommends an ITL on HB 365. Vote 11-8.
Rep. Andrew A. White for the Minority of Labor, Industrial and Rehabilitative Services. The minority strongly believes that private, personal information should stay private unless absolutely necessary. This bill would prevent employers who do not need to inquire into an applicant's credit history from obtaining credit information, while expressly allowing those inquiries in cases where it is necessary for the job being sought. This bill seeks to break the cycle of employees being unable to find work due to their poor credit history, because they cannot fix their credit history without a good job. The reasons for poor credit histories are many, however we do know that women tend to be disproportionately affected by negative credit, often due to divorce. The minority of the committee believes that removing barriers to employment is essential and that people who want to work should be able to work without unnecessary intrusion into their private lives.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Cushing spoke against.
Rep. Infantine spoke in favor.
Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 200 - NAYS 142

YEAS - 200

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen

CHESHIRE

Bordenet, John	Emerson, Susan	Hunt, John	McConnell, Jim
Sterling, Franklin			

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Massimilla, Linda
Piper, Wendy
Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Ferreira, Elizabeth
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Rice, Kimberly
Roberts, Carol
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Silva, Peter
Simmons, Tammy
Souza, Kathleen
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Bradley, Paula
Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Smith, Steven

NAYS - 142

CARROLL

Buco, Thomas
Butler, Edward
McCarthy, Frank
Ticehurst, Susan
Wright, Ted

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Chase, Cynthia
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Estevez, Eric
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hopper, Gary
Jack, Martin
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Proulx, Mark
Rosenwald, Cindy
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Sweeney, Shawn
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Luneau, David
MacKay, James
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abramson, Max
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Laware, Thomas
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew

and the majority committee report was adopted.

HB 392-FN, relative to the minimum hourly wage. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gregory Hill for the Majority of Labor, Industrial and Rehabilitative Services. This bill would raise the state minimum wage incrementally until it reaches $10 per hour by 2018. After 2018, NH's minimum wage would continue upwards by annual cost of living increases. The bill also calls for employees paid primarily by tips to be also paid at this newly inflated state minimum wage. The committee heard three bills addressing minimum wage increases; the bipartisan majority recommends ITL on this bill and HB 163 and allowing debate on the issue on HB 684. Vote 15-4.

Rep. Andrew A. White for the Minority of Labor, Industrial and Rehabilitative Services. While the minority understands the need to consolidate similar bills to streamline the legislative process, the subject matter is so important the minority could not agree to kill this bill.

Majority committee report adopted.

HB 450, relative to the definition of employee for purposes of workers' compensation and establishing a commission to study and make recommendations for a common definition of employee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Nick Zaricki for Labor, Industrial and Rehabilitative Services. This bill as amended creates a uniform definition of "employee." Currently, there are conflicting definitions of employee in statute, which causes considerable confusion among employers, employees, and state agencies. This bill amends statutory definitions of employee and replaces them with a single unified definition, determined by a joint work group including the dept. of labor, the dept. of employment security, and other stakeholders. This bill simplifies our regulations and is good for employers and employees. The recommendation was supported by a large bipartisan majority on the committee. Vote 16-4.

Amendment (0335h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Department of Labor; Collateral Estoppel. Amend RSA 273 by inserting after section 11-d the following new section:

273:11-e Collateral Estoppel. Decisions rendered under this chapter and RSA 281-A shall not be admissible in any court or in administrative or other proceedings, for the purpose of barring such court or proceeding from making independent findings of fact and rulings of law under the doctrine of collateral estoppel.

2 Procurement of Employment; Definitions. RSA 275:4, II is repealed and reenacted to read as follows:

II. "Employee" means every individual, other than a person exempted from the definition of employee under RSA 281-A:2, VI(b)(2), (3), or (4), or RSA 281-A:2, VII(b), or a person providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, who may be permitted, required, or directed by a single employer, in consideration of direct or indirect gain or profit, to provide services, unless this presumption is rebutted to the satisfaction of the commissioner that the individual is an independent contractor, both under the individual's contract of service and in fact, and the hiring unit proves that the individual meets all the criteria in subparagraph (a) and 3 of the criteria in subparagraph (b).

(a) The following criteria shall be met:

(1) The individual has the essential right to control the detailed means and manner of the work except as to final results;

(2) The individual has the opportunity for profit and loss as a result of the services being performed;

(3) The individual performs services that the individual is customarily engaged in as an independently established trade, occupation, profession, or business. This subparagraph may be met even when the individual performs services for only one hiring unit, or for 2 or more related hiring units, during one temporary period not to exceed 6 months, if:

(A) The individual is not contractually or practically precluded by such hiring unit, or any related hiring units, from performing similar services for a different, unrelated hiring unit; and

(B) It is the individual's choice not to make available or perform similar services for different, unrelated hiring units;

(4) The individual hires and pays the individual's assistants, if any, and, to the extent such assistants are employees, supervises the details of the assistants' work; and

(5) Payment to the individual is based on factors directly related to the agreed scope of work performed.

(b) At least 3 of the following criteria shall also be met:

(1) The individual has a substantive investment in the facilities, tools, instruments, materials, and knowledge used by the individual to complete the work;

(2) The individual is responsible for satisfactory completion of the work and may be held contractually responsible for failure to complete the work;

(3) The parties have a written contract that defines the relationship and gives each party contractual rights in the event the contract is terminated by the other party prior to completion of the work;

(4) The work is outside the usual course of business of the hiring unit;

(5) The work is performed outside all of the places of business of the hiring unit; or

(6) The individual has been determined to be an independent contractor by the federal Internal Revenue Service (an SS-8 determination).

3 Payment of Wages; Definitions. RSA 275:42, II is repealed and reenacted to read as follows:

II. "Employee" means every individual, other than a person exempted from the definition of employee as stated in RSA 281-A:2, VI(b)(2), (3), or (4), or RSA 281-A:2, VII(b), or a person providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, who may be permitted, required, or directed by a single employer, in consideration of direct or indirect gain or profit, to provide services, unless this presumption is rebutted to the satisfaction of the commissioner that the individual is an independent contractor, both under the individual's contract of service and in fact, and the hiring unit proves that the individual meets all of the criteria in subparagraph (a) and 3 of the criteria in subparagraph (b).

(a) The following criteria shall be met:

(1) The individual has the essential right to control the detailed means and manner of the work except as to final results;

(2) The individual has the opportunity for profit and loss as a result of the services being performed;

(3) The individual performs services that the individual is customarily engaged in as an independently established trade, occupation, profession, or business. This subparagraph may be met even when the individual performs services for only one hiring unit, or for 2 or more related hiring units, during one temporary period not to exceed 6 months, if:

(A) The individual is not contractually or practically precluded by such hiring unit, or any related hiring units, from performing similar services for a different, unrelated hiring unit; and

(B) It is the individual's choice not to make available or perform similar services for different, unrelated hiring units;

(4) The individual hires and pays the individual's assistants, if any, and, to the extent such assistants are employees, supervises the details of the assistants' work; and

(5) Payment to the individual is based on factors directly related to the agreed scope of work performed.

(b) At least three 3 of the following criteria shall also be met:

(1) The individual has a substantive investment in the facilities, tools, instruments, materials, and knowledge used by the individual to complete the work;

(2) The individual is responsible for satisfactory completion of the work and may be held contractually responsible for failure to complete the work;

(3) The parties have a written contract that defines the relationship and gives each party contractual rights in the event the contract is terminated by the other party prior to completion of the work:

(4) The work is outside the usual course of business of the hiring unit;

(5) The work is performed outside all of the places of business of the hiring unit; or

(6) The individual has been determined to be an independent contractor by the federal Internal Revenue Service (an SS-8 determination).

4 Whistleblowers' Protection Act; Definitions. RSA 275-E:1, I is repealed and reenacted to read as follows:

I. "Employee" means every individual, other than a person exempted from the definition of employee as stated in RSA 281-A:2, VI(b)(2), (3), or (4), or RSA 281-A:2, VII(b), or a person

providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, who may be permitted, required, or directed by a single employer, in consideration of direct or indirect gain or profit, to provide services, unless this presumption is rebutted to the satisfaction of the commissioner that the individual is an independent contractor, both under the individual's contract of service and in fact, and the hiring unit proves that the individual meets all of the criteria in subparagraph (a) and 3 of the criteria in subparagraph (b).

(a) The following criteria shall be met:

(1) The individual has the essential right to control the detailed means and manner of the work except as to final results;

(2) The individual has the opportunity for profit and loss as a result of the services being performed;

(3) The individual performs services that the individual is customarily engaged in as an independently established trade, occupation, profession, or business. This subparagraph may be met even when the individual performs services for only one hiring unit, or for 2 or more related hiring units, during one temporary period not to exceed 6 months, if:

(A) The individual is not contractually or practically precluded by such hiring unit, or any related hiring units, from performing similar services for a different, unrelated hiring unit; and

(B) It is the individual's choice not to make available or perform similar services for different, unrelated hiring units;

(4) The individual hires and pays the individual's assistants, if any, and, to the extent such assistants are employees, supervises the details of the assistants' work; and

(5) Payment to the individual is based on factors directly related to the agreed scope of work performed.

(b) At least 3 of the following criteria shall also be met:

(1) The individual has a substantive investment in the facilities, tools, instruments, materials, and knowledge used by the individual to complete the work;

(2) The individual is responsible for satisfactory completion of the work and may be held contractually responsible for failure to complete the work;

(3) The parties have a written contract that defines the relationship and gives each party contractual rights in the event the contract is terminated by the other prior to completion of the work;

(4) The work is outside the usual course of business of the hiring unit;

(5) The work is performed outside all of the places of business of the hiring unit; or

(6) The individual has been determined to be an independent contractor by the federal Internal Revenue Service (an SS-8 determination).

5 Minimum Wage Law; Definitions. RSA 279:1, X is repealed and reenacted to read as follows:

X. "Employee" means every individual, other than a person exempted from the definition of employee under RSA 281-A:2, VI(b)(2), (3), or (4), or RSA 281-A:2, VII(b), or a person providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, who may be permitted, required, or directed by a single employer, in consideration of direct or indirect gain or profit, to provide services, unless this presumption is rebutted to the satisfaction of the commissioner that the individual is an independent contractor, both under the individual's contract of service and in fact, and the hiring unit proves that the individual meets all of the criteria in subparagraph (a) and 3 of the criteria in subparagraph (b).

(a) The following criteria shall be met:

(1) The individual has the essential right to control the detailed means and manner of the work except as to final results;

(2) The individual has the opportunity for profit and loss as a result of the services being performed;

(3) The individual performs services that the individual is customarily engaged in as an independently established trade, occupation, profession, or business. This subparagraph may be met even when the individual performs services for only one hiring unit, or for 2 or more related hiring units, during one temporary period not to exceed 6 months, if:

(A) The individual is not contractually or practically precluded by such hiring unit, or any related hiring units, from performing similar services for a different, unrelated hiring unit; and

(B) It is the individual's choice not to make available or perform similar services for different, unrelated hiring units;

(4) The individual hires and pays the individual's assistants, if any, and, to the extent such assistants are employees, supervises the details of the assistants' work; and

(5) Payment to the individual is based on factors directly related to the agreed scope of work performed.

(b) At least 3 of the following criteria shall also be met:

(1) The individual has a substantive investment in the facilities, tools, instruments, materials, and knowledge used by the individual to complete the work;

(2) The individual is responsible for satisfactory completion of the work and may be held contractually responsible for failure to complete the work;

(3) The parties have a written contract that defines the relationship and gives each party contractual rights in the event the contract is terminated by the other prior to completion of the work;

(4) The work is outside the usual course of business of the hiring unit;

(5) The work is performed outside all of the places of business of the hiring unit; or

(6) The individual has been determined to be an independent contractor by the federal Internal Revenue Service (an SS-8 determination).

6 Workers' Compensation; Definitions. RSA 281-A:2, VI(b)(1) is repealed and reenacted to read as follows:

(1) Subject to the preceding paragraph, "employee" means every individual, other than a direct seller or qualified real estate broker or agent or real estate appraiser, or person providing services as part of a residential placement for individuals with developmental, acquired, or emotional disabilities, who may be permitted, required, or directed by a single employer, in consideration of direct or indirect gain or profit, to provide services, unless this presumption is rebutted to the satisfaction of the commissioner that the individual is an independent contractor, both under the individual's contract of service and in fact, and the hiring unit proves that the individual meets all of the criteria in subparagraph (A) and 3 of the criteria in subparagraph (B).

(A) The following criteria shall be met:

(i) The individual has the essential right to control the detailed means and manner of the work except as to final results;

(ii) The individual has the opportunity for profit and loss as a result of the services being performed;

(iii) The individual performs services that the individual is customarily engaged in as an independently established trade, occupation, profession, or business. This subparagraph may be met even when the individual performs services for only one hiring unit, or for 2 or more related hiring units, during one temporary period not to exceed 6 months, if:

(a) The individual is not contractually or practically precluded by such hiring unit, or any related hiring units, from performing similar services for a different, unrelated hiring unit; and

(b) It is the individual's choice not to make available or perform similar services for different, unrelated hiring units;

(iv) The individual hires and pays the individual's assistants, if any, and, to the extent such assistants are employees, supervises the details of the assistants' work; and

(v) Payment to the individual is based on factors directly related to the agreed scope of work performed.

(B) At least 3 of the following criteria shall also be met:

(i) The individual has a substantive investment in the facilities, tools, instruments, materials, and knowledge used by the individual to complete the work;

(ii) The individual is responsible for satisfactory completion of the work and may be held contractually responsible for failure to complete the work;

(iii) The parties have a written contract that defines the relationship and gives each party contractual rights in the event the contract is terminated by the other prior to completion of the work;

(iv) The work is outside the usual course of business of the hiring unit;

(v) The work is performed outside all of the places of business of the hiring unit; or

(vi) The individual has been determined to be an independent contractor by the federal Internal Revenue Service (an SS-8 determination).

7 Workers' Compensation; Definitions. Amend RSA 281-A:2, VI(c) to read as follows:

(c) A written agreement signed by the [~~employer~~] ***hiring unit*** and the [~~person~~] ***individual*** providing services, on or about the date such person was engaged, which describes ***how*** the services

are to be performed [~~and affirms that such services are to be performed~~] in accordance with [~~each of~~] the criteria in [~~subparagraphs~~] ***subparagraph*** (b)(1)[~~(A)-(G)~~] is prima facie evidence that the criteria have been met. Nothing in this subparagraph shall require such an agreement to establish that the criteria have been met.

8 Unemployment Compensation; Definitions. RSA 282-A:9, III is repealed and reenacted to read as follows:

III. Services performed by an individual for wages shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the commissioner of the department of employment security that:

(a) The individual has the essential right, both under the individual's contract of service and in fact, to control the detailed means and manner of the work except as to final results;

(b) The individual has the opportunity for profit and loss as a result of the services being performed; and

(c) The individual performs services that the individual is customarily engaged in as an independently established trade, occupation, profession, or business; this provision may be met even when the individual performs services for only one hiring unit, or for 2 or more related hiring units, during one temporary period not to exceed 6 months, if:

(1) The individual is not contractually or practically precluded by such hiring unit, or any related hiring units, from performing similar services for a different, unrelated hiring unit; and

(2) It is the individual's choice not to make available or perform similar services for different, unrelated hiring units; and

(d) The individual hires and pays the individual's assistants, if any, and, to the extent such assistants are employees, supervises the details of the assistants' work; and

(e) Payment to the individual is based on factors directly related to the agreed scope of work performed; and

(f) That at least 3 of the following criteria are met:

(1) The individual has a substantive investment in the facilities, tools, instruments, materials, and knowledge used by the individual to complete the work;

(2) The individual is responsible for satisfactory completion of the work and may be held contractually responsible for failure to complete the work;

(3) The parties have a written contract that defines the relationship and gives each party contractual rights in the event the contract is terminated by the other prior to completion of the work;

(4) The work is outside the usual course of business of the hiring unit;

(5) The work is performed outside all of the places of business of the hiring unit; or

(6) The individual has been determined to be an independent contractor by the Federal Internal Revenue Service (an SS-8 determination).

9 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill clarifies the definition of "employee" for purposes of determining an independent contractor.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 496-FN-L, prohibiting public employers from using criminal history in employment decisions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Murphy for the Majority of Labor, Industrial and Rehabilitative Services. This bill would prohibit public employers from inquiring about or considering an applicant's criminal history until after a conditional offer of employment has been made. The majority of the committee believes that there are obviously positions for which a criminal conviction would be disqualifying or, at a minimum, worth consideration. It is doing neither the employer nor applicant any favors to not allow this information to be solicited prior to an interview. The committee heard testimony that applicants have the opportunity to explain past convictions on applications and that convictions are not automatically disqualifying for every position. Employers can and do take into account factors such as the amount of time that has passed since the conviction, the severity of the offense, and the relationship of the offense to the position sought. Finally, there was the sentiment that poor decisions do have consequences, and the decision to commit a crime has the consequence of limiting future job opportunities. Vote 12-8.

Rep. Douglas A. Ley for the Minority of Labor, Industrial and Rehabilitative Services. Despite its title, this bill did not prohibit using criminal history in employment decisions. Instead, it limited the use of criminal history to the second stage of a job application process, eliminating the typical initial inquiry regarding prior convictions. All too often, those who 'check the box' are immediately dismissed from further consideration, with no opportunity at explanation or ability to demonstrate whether a prior conviction is even relevant to the job in question. Consequently, we often discriminate against those with prior criminal history, affixing an often-unwarranted "Scarlet Letter" upon otherwise fully-qualified applicants. The minority endorse the idea that it's better to not discriminate and limit criminal history checks to those who have otherwise earned full consideration for employment.

LAID ON THE TABLE

Rep. Infantine moved that **HB 496-FN-L,** prohibiting public employers from using criminal history in employment decisions, be laid on the table.
Motion adopted.

REGULAR CALENDAR CONT'D

HB 600-FN, relative to paid sick leave for employees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard P. Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. As written, the majority of the committee sees several issues with the bill. For starters, the "findings" are certainly subjective. Additionally, there is less than clear language in multiple places, including the word "reasonable," that would lead to interpretational debates. There are also key words/phrases lacking clarifying definitions. Regardless of the bill's lack of being ready for any house vote, the majority believes that mandatory sick leave is not in the best interest of our state's citizens overall. One individual who testified stated that legislatively mandating sick leave was preferable to education on the subject. We disagree. According to testimony, only one other state (Connecticut) has mandated sick leave, a state hardly known for thrift. When a witness was asked who would cover the small business owner's sick time, the owner being asked to cover all his employees, the reply was "the business owner would have to cover himself." Businesses would bear the brunt of the direct cost of paying for sick days as well as time and costs associated with record keeping and retention. There are additional publication costs, regulatory burdens and potential enforcement placed on the NH department of labor. Finally, the fiscal note states that there would be a nearly $9 million increase to the state's budget to cover the new sick time requirements for its part-time employees. Furthermore, the majority believes that it is in our state's interest to be pro-business rather than institute additional mandates that impose financial, clerical and regulatory burdens. In general, employee "benefits," like pay, should be a negotiated agreement between the employee and employer, not a mandate from bureaucracy. For all the foregoing reasons, however, we the majority find this bill ITL. Vote 12-8.

Rep. Michael D. Cahill for the Minority of Labor, Industrial and Rehabilitative Services. Sick leave is worthy of further study. The minority wanted to retain and improve the bill. Employees without sick leave bring contagious diseases to work leading to more workplace illness, reducing productivity and ultimately harming NH's economy. Provision of sick leave would enhance employee morale as well as overall productivity and profitability.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Gile spoke against.
Rep. Leonard Turcotte spoke in favor and requested a roll call; sufficiently seconded.

YEAS 219 - NAYS 122

YEAS - 219

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino
Butler, Edward
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Wright, Ted

CHESHIRE

Bordenet, John
Emerson, Susan
Hunt, John
McConnell, Jim
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John
Thomas, Yvonne

GRAFTON

Brown, Duane
Cooney, Mary
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Massimilla, Linda
Piper, Wendy
Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cohen, Alan
Danielson, David
Donovan, Daniel
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Seidel, Carl
Silva, Peter
Simmons, Tammy
Souza, Kathleen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
Carson, Clyde
Ebel, Karen
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Schroadter, Adam

Spillane, James	Sytek, John	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gardner, Janice
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert	Leeman, Don
Mullen, John	Sprague, Dale	Turcotte, Leonard	Wall, Janet
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Grenier, James

NAYS - 122

CARROLL

Buco, Thomas	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Hatch, William	Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Nordgren, Sharon	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Booras, Efstathia	Brown, Pamela	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	O'Neil, William
Porter, Marjorie	Roberts, Carol	Shattuck, Gilman	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Deloge, Helen
Doherty, David	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
DiSesa, Len	Horrigan, Timothy	Rollo, Deanna	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Verschueren, James

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Laware, Thomas	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted.

HB 299, prohibiting voting by the house of representatives for the speaker of the house on organizational convening day to be by secret ballot. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jack B. Flanagan for the Majority of Legislative Administration. This bill would require all votes for speaker of the New Hampshire house to be by roll call only. The majority of the committee believes that the vote for speaker should be held to the same standard as other democratic elections. If a citizen chooses to keep their election ballot secret when choosing local, state and national leaders, it is their right to do so. This sacred right should be extended to a house member casting a ballot for the leader of the house. If a member chooses to announce their vote voluntarily to the public, that is also their right. This bill is contrary to decades of past practice in the house and is contrary to what many believe is their right to a secret ballot. We have a rich history of transparency in New Hampshire, but members have the right to privacy as much as our citizens do when it comes to electing leaders. Vote 8-1.

Rep. Pamela Z. Tucker for the Minority of Legislative Administration. The minority believes in transparency of all elected officials. From the US House of Representatives to our local school, zoning, and budget boards, all have the votes for the chair of their respective body made public. Once a member takes an oath of office, every vote that member takes should be for public consumption. The New Hampshire House of Representatives should not be an exception. The argument was made that it is past precedent to have secret a ballot. True, however, there are two past precedents. The first, in the prior two elections for speaker and in 2006 and 2002, the minority party cast a single vote for the majority party's choice for speaker. The other precedent was actual votes cast by every member of the house, which happened in 2008. No matter the choice of precedent used, keeping our elected officials accountable starts with their voting record and having their votes cast in the open, not clouded in secrecy.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Kurk spoke in favor.

Rep. Burt spoke against and requested a roll call; sufficiently seconded.

YEAS 271 - NAYS 69

YEAS - 271

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Hurt, George	Luther, Robert	Spanos, Peter
Tilton, Franklin	Vadney, Herbert		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	McConnell, Jim
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Booras, Efstathia	Bouldin, Amanda	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Edwards, Elizabeth	Estevez, Eric
Forest, Armand	Freitas, Mary	Fromuth, Bart	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Goulette, William	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Hopper, Gary
Jack, Martin	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Martel, Andre
McCarthy, Peggy	McLean, Mark	Murotake, David	O'Brien, Michael
O'Neil, William	Ober, Lynne	Ober, Russell	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Porter, Marjorie
Proulx, Mark	Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Shattuck, Gilman	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Takesian, Charlene	Twombly, Timothy	Vann, Ivy	Walsh, Robert
Williams, Kermit	Wolf, Terry	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	French, Harold	Gile, Mary	Henle, Paul
Hess, David	Hirsch, Geoffrey	Horn, Werner	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Long, Douglas
Luneau, David	MacKay, James	Marple, Richard	Martin, John
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Seaworth, Brian
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Bates, David	Belanger, Ronald	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Cushing, Robert	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Elliott, Robert
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Gannon, William
Gordon, Pamela	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Lovejoy, Patricia	Lundgren, David	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Potucek, John	Prudhomme-O'Brien, Katherine	Sanders, Elisabeth

Sherman, Thomas	Simpson, Alexis	Sytek, John	Thomas, Douglas
Ward, Gerald	Ward, Joanne	Webb, James	Welch, David
Woitkun, Steven			

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Jones, Laura	Kaen, Naida
Leeman, Don	Mullen, John	Rollo, Deanna	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Laware, Thomas
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

NAYS - 69

BELKNAP

Aldrich, Glen	Howard, Jr., Raymond	Sylvia, Michael	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McCarthy, Frank
Wright, Ted			

COOS

Rideout, Leon			

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Burt, John	Coffey, James
Eastman, Eric	Ferreira, Elizabeth	Gould, Linda	Halstead, Carolyn
Hogan, Edith	Lachance, Joseph	Marston, Dick	McClarren, Donald
Moore, Josh	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ohm, Bill	Parison, James	Seidel, Carl	Silva, Peter
Souza, Kathleen	Sullivan, Victoria	Sweeney, Shawn	Zaricki, Nick

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Kuch, Bill
McGuire, Carol	McGuire, Dan		

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Duarte, Joe	Emerick, J. Tracy
Gordon, Richard	Harris, Jeffrey	Kappler, Lawrence	Kellogg, Shem
Kolodziej, Walter	Osborne, Jason	Rice, Frederick	Spillane, James
Tasker, Kyle	True, Chris	Tucker, Pamela	Vose, Michael
Wood, David			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

and the majority committee report was adopted.

HB 434, relative to review of proposed agency administrative rules by standing committees of the general court. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Jack B. Flanagan for the Majority of Legislative Administration. Currently, agencies are required to submit copies of rules proposed to implement a newly-enacted statute to the chairmen of the house and senate policy committees. Chairmen are then required to distribute the proposed rules to the

members of their committees for review. This policy was adopted in 2011 to ensure that proposed rules conform with the intent of the legislators that are most familiar with a new law. HB 434 would require all legislators to review all rules that relate to the subject matter of their policy committees, not only those rules that relate to new laws. This would increase the workload of our citizen legislature exponentially. Under the current rulemaking process, any person may attend JLCAR meetings and express an objection to a proposed rule. JLCAR is composed of dedicated legislators and staff that conduct careful reviews of all proposed rules to ensure, among other things, adherence to legislative intent. The changes in this bill would serve to further complicate an already complex process. Vote 8-1. Rep. Pamela Z. Tucker for the Minority of Legislative Administration. The minority believes HB 434 would increase the legislative oversight needed of our agencies. New, changes and reauthorizations of rules would be reviewed by the policy committee prior to implementation. Further, the policy committee will need to review the changes rather than just blindly let them become in effect with no understanding if they are in concert with the intent of the law. It is part of our legislative responsibilities to assure our agencies are following the laws we make and if we are serious about our position, we will make the time needed to perform our duties.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 235 - NAYS 105

YEAS - 235

BELKNAP

Fields, Dennis	Flanders, Donald	Gallagher, Brian	Luther, Robert
Spanos, Peter	Tilton, Franklin		

CARROLL

Butler, Edward	Chandler, Gene	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Booras, Efstathia	Bouldin, Amanda	Brown, Pamela
Byron, Frank	Christensen, Chris	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hinch, Richard	Jack, Martin	Kurk, Neal	LeBrun, Donald

Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Prudhomme-O'Brien, Katherine
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 105

BELKNAP

Aldrich, Glen
Dumais, Russell
Fraser, Valerie
Howard, Jr., Raymond
Hurt, George
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Buco, Thomas
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Burt, John	Christiansen, Lars
Christie, Rick	Coffey, James	Donovan, Daniel	Eastman, Eric
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda
Goulette, William	Hansen, Peter	Hogan, Edith	Hopper, Gary
Lachance, Joseph	Marston, Dick	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ohm, Bill	Parison, James	Peterson, Ken
Rice, Kimberly	Seidel, Carl	Silva, Peter	Simmons, Tammy
Souza, Kathleen	Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Barnes, Arthur
Bates, David	Cook, Allen	Duarte, Joe	Gannon, William
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Osborne, Jason	Rice, Frederick
Spillane, James	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Wood, David	

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Mullen, John
Spang, Judith	Sprague, Dale	Turcotte, Leonard	Whitehouse, Joshua

SULLIVAN

Rollins, Skip

and the majority committee report was adopted.

HCR 1, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell T. Ober for Legislative Administration. The majority of the committee felt that HCR 1 was not the proper mechanism to address the issue of whether or not the state should rescind any prior request for a constitutional convention. While we understand intent of the bill, and respect the concerns of the sponsors, at this time, HCR 1 raises more questions than it may be intended to resolve. Research into prior legislation suggests that the last call by New Hampshire was made in 1979. If that call has not resulted in a convention in over 3 decades, it is likely that rescinding is not necessary. Lastly, rescinding New Hampshire's request is not a guarantee against other future calls by other states, and does not rescind any future calls that could arise through other legislation currently before the legislature. We believe that HCR 1 is not necessary at this time. Vote 7-3.

Reps. Russell Ober and Timothy Smith spoke in favor.

Rep. McConnell spoke against and yielded to questions.

Rep. Hinch moved the previous question.

Rep. Kappler requested a roll call; not sufficiently seconded.

On a division vote, 169 members having voted in the affirmative and 166 in the negative, the motion was adopted and debate is now limited.

(Rep. Packard in the Chair)

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. William O'Brien moved that the House reconsider its action whereby, on a division vote of 169-166, the House adopted the previous question motion. On a division vote, 92 members having voted in the affirmative and 245 in the negative, the motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 262 - NAYS 75

YEAS - 262

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Gallagher, Brian
Hurt, George	Luther, Robert	Spanos, Peter	Tilton, Franklin
Varney, Peter			

CARROLL

Buco, Thomas	Butler, Edward	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Hunt, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	

COOS

Fothergill, John	Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Booras, Efstathia
Bouldin, Amanda	Brown, Pamela	Byron, Frank	Christensen, Chris
Christie, Rick	Cohen, Alan	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric
Edwards, Elizabeth	Freitas, Mary	Gagne, Larry	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Hinch, Richard	Hopper, Gary	Jack, Martin
Kurk, Neal	LeBrun, Donald	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	Martel, Andre	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	O'Brien, Michael
O'Neil, William	Ober, Lynne	Ober, Russell	Palmer, Barry

Parison, James
Porter, Marjorie
Rowe, Robert
Snow, Kendall
Vann, Ivy
Woodbury, David
Pellegrino, Anthony
Proulx, Mark
Shattuck, Gilman
Soucy, Timothy
Walsh, Robert
Zaricki, Nick
Peterson, Ken
Roberts, Carol
Smith, Gregory
Sullivan, Daniel
Williams, Kermit
Pierce, David
Rouillard, Claire
Smith, Timothy
Takesian, Charlene
Wolf, Terry

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hirsch, Geoffrey
Kenison, Linda
Long, Douglas
Myler, Mel
Schuett, Dianne
Wheeler, Deborah
Bartlett, Christy
Doherty, David
Gile, Mary
Hoell, J.R.
Kidder, David
Luneau, David
Patten, Dick
Seaworth, Brian
Bradley, Paula
Ebel, Karen
Henle, Paul
Horn, Werner
Kotowski, Frank
MacKay, James
Ratzki, Mario
Turcotte, Alan
Carson, Clyde
Frazer, June
Hess, David
Karrick, David
Kuch, Bill
McGuire, Carol
Saunderson, George
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Fesh, Robert
Griffin, Mary
Hoelzel, Kathleen
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, James
Wood, David
Allen, Mary
Berrien, Skip
Chirichiello, Brian
DeSimone, Debra
Elliott, Robert
Francese, Paula
Guthrie, Joseph
Introne, Robert
Major, Norman
McMahon, Charles
Packard, Sherman
Sanders, Elisabeth
Vose, Michael
Welch, David
Azarian, Gary
Borden, David
Christie, Andrew
Devine, James
Emerick, J. Tracy
Gannon, William
Hagan, Joseph
Itse, Daniel
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Sherman, Thomas
Ward, Gerald
Weyler, Kenneth
Barnes, Arthur
Cahill, Michael
Cook, Allen
DiFranco, Debbie
Ferrante, Beverly
Gordon, Pamela
Heffron, Frank
Kolodziej, Walter
McBeath, Rebecca
Nigrello, Robert
Potucek, John
Simpson, Alexis
Ward, Joanne
Woitkun, Steven

STRAFFORD

Baber, William
Burton, Wayne
Gray, James
Jones, Laura
Rollo, Deanna
Sprague, Dale
Verschueren, James
Berube, Roger
Cheney, Catherine
Groen, Warren
Kaen, Naida
Schmidt, Peter
Stevens, Audrey
Wall, Janet
Bickford, David
DiSesa, Len
Hannon, Joseph
Leeman, Don
Southworth, Thomas
Treleaven, Susan
Bixby, Peter
Gardner, Janice
Horrigan, Timothy
Mullen, John
Spang, Judith
Turcotte, Leonard

SULLIVAN

Cloutier, John
Irwin, Virginia
Schmidt, Andrew
Converse, Larry
Laware, Thomas
Smith, Steven
Gagnon, Raymond
Oxenham, Lee
Gottling, Suzanne
Rollins, Skip

NAYS - 75

BELKNAP

Aldrich, Glen
Vadney, Herbert
Fraser, Valerie
Howard, Jr., Raymond
Sylvia, Michael

CARROLL

Avellani, Lino
Wright, Ted
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank

CHESHIRE

Berch, Paul
McConnell, Jim
Robertson, Timothy
Weber, Lucy

COOS

Rideout, Leon

GRAFTON

Brown, Duane
Ford, Susan
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Burt, John
Coffey, James
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Goulette, William
Hogan, Edith
Lachance, Joseph
Marston, Dick
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Rice, Kimberly
Rosenwald, Cindy
Seidel, Carl
Silva, Peter
Simmons, Tammy
Souza, Kathleen
Sullivan, Victoria
Twombly, Timothy

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Marple, Richard
Martin, John
McGuire, Dan
Rogers, Katherine
Shurtleff, Stephen

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Bates, David
Cardon, G. Thomas
Duarte, Joe
Gordon, Richard
Harris, Jeffrey
Hodgdon, Bruce
Kappler, Lawrence
Kellogg, Shem
Lundgren, David
Osborne, Jason
Rice, Frederick
Schroadter, Adam
Spillane, James
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
Kaczynski, Jr., Thomas
Knowles, Robert
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest

and the committee report was adopted.

HCR 7, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. James R. MacKay for the Majority of Legislative Administration. The majority of the committee believes that any constitutional acts of congress are appropriately defended by the courts and that a resolution adopted by the New Hampshire legislature that has no force of law will have no true impact in this area. Similar resolutions have been adopted by the house in previous sessions. None have been adopted by the senate. Vote 8-1.

Rep. Pamela Z. Tucker for the Minority of Legislative Administration. HCR 7 is the affirmation Part 1, Article 7, of the Constitution of the State of New Hampshire and the Tenth Amendment to the Constitution for the United States. In 2011, the New Hampshire house passed HCR 6 and HR 25 in 2012. Both resolutions were much the same as HCR 7. Unlike bills and joint resolutions, resolutions and concurrent resolutions expire with the each legislature making it imperative that each legislature publicly express their affirmation to these fundamental principles of American government and sovereignty. A legislature failing to make such an affirmation when it has the opportunity, makes positive the statement that it does not believe, nor support these fundamental principles.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Itse and Goulette spoke against.
Reps. Timothy Smith and MacKay spoke in favor.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 217 - NAYS 108

YEAS - 217

BELKNAP

Fields, Dennis
Gallagher, Brian
Hurt, George
Luther, Robert
Spanos, Peter

CARROLL

Buco, Thomas
Butler, Edward
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Emerson, Susan
Hunt, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Cooney, Mary
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Bouldin, Amanda
Brown, Pamela
Byron, Frank
Christensen, Chris
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Freitas, Mary
Gagne, Larry
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Myler, Mel
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Sanders, Elisabeth
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Laware, Thomas
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 108

BELKNAP

Aldrich, Glen
Dumais, Russell
Flanders, Donald
Fraser, Valerie
Howard, Jr., Raymond
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Nelson, Bill
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Darrow, Stephen
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Burt, John
Christie, Rick
Coffey, James
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gould, Linda
Goulette, William
Halstead, Carolyn
Hansen, Peter
Hogan, Edith
Infantine, William
Lachance, Joseph
Marston, Dick
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Parison, James
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Seidel, Carl
Silva, Peter
Simmons, Tammy
Souza, Kathleen
Sullivan, Victoria
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Cook, Allen	Duarte, Joe	Emerick, J. Tracy	Gannon, William
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter	Osborne, Jason
Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Wood, David			

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Rollins, Skip

and the majority committee report was adopted.

HB 205-L, relative to lending practices of energy efficiency and clean energy districts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for the Majority of Municipal and County Government. This bill was re-committed to the committee after it voted to ITL. The committee found redeeming features but felt some portions of the original legislation were not acceptable. The bill came back to committee and was amended to correct those unacceptable features. As amended, the bill allows private industry to make energy improvements to some properties with private lender loans repaid by the savings in energy. The municipality collects the funds and passes them to the lender as part of the tax bill but bares no liability or responsibility for the loan. This is enabling and the municipality has to vote it in. Vote 14-3.

Rep. James E. Coffey for the Minority of Municipal and County Government. The overall goals of this legislation as amended may be laudable, but several of the committee believe that towns should not be involved as a collection agency for private energy improvement loans. We believe that this is best left to the private sector.

Majority Amendment (0675h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Definitions. Amend RSA 53-F:1 by inserting after paragraph II the following new paragraph:

II-a. "Eligible property" means real property located within the boundaries of the district, whether zoned or used for residential, commercial, industrial, or other uses, excluding residential property containing less than 5 dwelling units.

2 Authority; Agreements; Eligibility; Financing. RSA 53-F:3 is repealed and reenacted to read as follows:

53-F:3 Authority. To achieve the public benefits of protecting the economic and social well-being by reducing energy costs in the community and risks to the community associated with future escalation in energy prices, and addressing the threat of global climate change, any municipality which has adopted the provisions of this chapter and established an energy efficiency and clean energy district may, upon a finding by the governing body of the municipality, after notice and hearing, that the energy conservation and efficiency and clean energy improvements will serve the public purposes as set forth in this chapter and not primarily be for the benefit of private persons or uses even though such private benefits and uses may incidentally result, do the following:

I. A municipality which adopts this chapter shall thereafter be authorized to establish one or more energy efficiency and clean energy districts.

II. Encourage private financing from individuals or institutions for qualifying improvements to eligible properties within the district and enter into agreements with those private lenders to administer the energy conservation and efficiency improvements or clean energy improvements program on their behalf, including evaluating eligible properties, supervising the improvements, arranging for the closing of the loans, collecting the special assessments and assisting them with the exercise of their lienholder rights, provided that anticipated expenses for the administration of the program shall be borne by the owners of eligible properties participating in the program.

III. Participate in state or federal programs providing support for municipal energy efficiency and clean energy finance programs such as those authorized by this chapter.

IV. Enter into agreements with owners of eligible property in which the owners consent to make energy conservation and efficiency improvements or clean energy improvements to their properties and to have the municipality include a special assessment to pay for such improvements on their property tax bills, their bills for water or sewer service or another municipal service, or separate bills, provided that such agreements shall not affect the tax liability or municipal services charges of other participating or nonparticipating property owners in the district.

V. Collect charges from participating owners of eligible properties to cover the cost of administration for the district.

VI. Otherwise administer a program for promoting and financing energy efficiency and clean energy improvements within a district in accordance with this chapter, enter into an agreement with a public or private entity to administer such a program on its behalf in accordance with this chapter, and enter into an agreement with one or more other municipalities to share services and otherwise cooperate in the administration of a district or districts in accordance with this chapter.

3 Agreements With Property Owners. RSA 53-F:4, I-III are repealed and reenacted to read as follows:

I.(a) A municipality may make an assessment under this chapter only pursuant to an agreement entered into with the free and willing consent of the owner of an eligible property to which the assessment applies. In the case of any eligible property with multiple owners, an agreement under this chapter shall be signed by all owners.

(b) An agreement with an owner of eligible property shall provide that the owner shall contract for qualifying improvements with one or more qualified contractors, purchase materials to be used in making qualified improvements, or both, and that, upon submission of documentation required by the municipality, the municipality shall disburse funds to those contractors and vendors in payment for the qualifying improvements or materials used in making qualified improvements. An agreement with a property owner shall require that the property owner report post-installation energy use data for program evaluation purposes over a period determined by the municipality.

(c) The agreement shall stipulate that all funding for the qualifying improvements shall be made by private lenders and that the loan will be evidenced by a note and secured by a mortgage on the eligible property. The agreement shall include a payment schedule showing the term over which payments will be due on the assessment, the frequency with which payments will be billed and the amount of each payment, and the annual amount due on the assessment. The obligations of the agreement and loan will run with the eligible property. If the property is sold, the new owner shall automatically assume the obligations of the agreement, note, and mortgage and shall be subject to all liability related to such obligations. Upon full payment of the amount of the special assessments, including all outstanding interest and charges and any penalties that may become due, the municipality shall provide the then participating property owner with a written statement certifying that the obligations of the agreement and the loan have been satisfied and the special assessments have been paid in full and shall record a discharge of the mortgage from the private lender.

II. The municipality shall disclose to the owners of eligible property participating in the program the risks associated with their participation, including risks related to their failure to make payments and the risk of enforcement of property tax or special assessment liens under RSA 53-F:8.

III. At least 30 days prior to entering into an agreement with a municipality under this chapter, the owner of eligible property shall provide to the holders of any existing mortgages on the property notice of his or her intent to enter into the agreement.

4 Eligibility of Property Owners. RSA 53-F:5 is repealed and reenacted to read as follows:

53-F:5 Eligibility of Property Owners.

I. A municipality may enter into an agreement under this chapter only with the legal owner of eligible property.

II. Prior to entering into an agreement with an owner of eligible property, the municipality shall determine that all property taxes and any other assessments levied with property taxes are current and have been current for 3 years or the owner's period of ownership, whichever is less; that there are no involuntary liens such as mechanic's liens on the property; and that no notices of default or other evidence of property-based debt delinquency have been recorded during the past 3 years or the property owner's period of ownership, whichever is less. The municipality shall adopt additional criteria, appropriate to property-assessed clean energy finance programs. The municipality shall determine whether any mortgages or liens of record exist in the registry of deeds on the property, whether they are current in the obligations, and whether the total debt to equity ratio specified by the private lender will be met. If any such mortgage or lien exists, the municipality shall notify each such mortgagee or lienholder in writing that a private lender is considering making a loan secured by a municipal lien pursuant to the provisions of this chapter and request the consent of each such mortgagee or lienholder to the making of such loan. Each mortgagee or lienholder shall have the right to determine in its sole discretion whether or not it will consent to such loan. If all of the mortgagees or lienholders of record elect to consent, the consents shall be in writing and recorded with the municipal lien in the registry of deeds. The legal effect of having all consents shall be that the municipal lien shall not be extinguished in the event of a foreclosure or sheriff's sale by the mortgagee or lienholder as provided in RSA 53-F:8. If all of the mortgagees or lienholders of record do not consent, but the private lender determines that it will proceed in making such loan, then in the event of a foreclosure or sheriff's sale by a mortgagee or lienholder, the municipal lien shall be extinguished.

5 Qualifying Improvements. RSA 53-F:6, II-IV are repealed and reenacted to read as follows:

II. Improvements shall be permanently affixed to an existing building or facility that is part of the eligible property. The owner of the property may not finance projects in buildings or facilities under new construction.

III. Improvements shall be made by a contractor or contractors, which may include a cooperative or not-for-profit organization, determined by the municipality to be qualified to make the energy efficiency or clean energy improvements in the agreement. Contractors may be designated as qualified by an electric or gas utility program or another appropriate New Hampshire-based entity. Any work requiring a license under any applicable law shall be performed by an individual holding such license. A municipality may elect to permit the financing pursuant to an agreement under this chapter of improvements made by the owner of the property, but shall not permit the value of the owner's labor to be included in the amount financed.

IV. Prior to disbursement of final payments to any contractor or vendor pursuant to an agreement with a property owner, submission is required by the property owner in a form acceptable to the municipality of:

(a) A post-installation report, based on an independent inspection acceptable to the municipality, certifying that improvements have been installed properly and verifying that they are performing satisfactorily; and

(b) Documentation of all costs to be financed and copies of any required permits.

6 Financing Terms. Amend RSA 53-F:7 to read as follows:

53-F:7 Financing Terms.

I. Improvements shall be financed pursuant to an agreement under this chapter only on terms such that the total energy cost savings realized by the property owner and the property owner's successors during the useful lives of the improvements are expected to exceed the total cost to the property owner and the property owner's successors of the improvements.

II. [~~A municipality that provides financing to participating property owners shall establish a loss reserve account and maintain funds in such account at a level that meets generally accepted standards for property-assessed clean energy finance programs. Funds in a loss reserve account shall not be provided from general municipal revenues.~~

~~III.~~] A property owner who escrows property taxes with the holder of a mortgage on a property subject to an agreement under this chapter may be required by the holder to escrow amounts due on the ***special*** assessment under this chapter and the mortgage holder shall remit such amounts to the municipality in the manner that property taxes are escrowed and remitted.

[~~IV.~~] ***III.*** The maximum term of finance provided pursuant to an agreement under this chapter shall be 30 years.

7 Priority; Collection and Enforcement. Amend RSA 53-F:8 to read as follows:

53-F:8 Priority; Collection and Enforcement. Collection of ***special*** assessments under this chapter shall be made by the tax collector or other official responsible for property tax or municipal service charge collection. A municipality shall commit bills for amounts due on the ***special*** assessments, including interest and any charges, to the tax collector with a warrant signed by the appropriate municipal officials requiring the tax collector to collect them. Each year bills for amounts due on the ***special*** assessments shall coincide with bills for property taxes or municipal service charges. Each ***special*** assessment on the property of a participating property owner shall create a lien on the property pursuant to RSA 80:19, except that the lien shall be junior to existing liens of record at the time the bill for the assessment is mailed to the participating property owner. Enforcement powers for nonpayment shall be those provided under RSA 80 relative to property tax collection, including RSA 80:19; provided, however, a tax sale of the property shall not extinguish prior liens of record. At the time of enforcement, only the past due balances of the ***special*** assessment under this chapter, including all interest, charges, and penalties, shall be due for payment. Notwithstanding any other provision of law, in the event of a transfer of property ownership through foreclosure or a sheriff's sale by a senior mortgagee or lienholder which has consented to the making of a loan by a [~~municipality~~] ***private lender*** under the provisions of this chapter, the lien of the municipality shall not be extinguished, and the net proceeds of the sale, if any, after payment of all prior obligations to mortgagees and lienholders, costs and expenses of foreclosure or sheriff's sale, shall be first applied to the payment of any past due balances of the [~~municipal~~] loan and then any excess shall be applied against the remaining balance of the loan. If a senior mortgagee or lienholder has not given its consent to the loan, a foreclosure or sheriff's sale by the mortgagee or lienholder shall extinguish all junior mortgages and liens. [~~Payment of a past due balance from the loss reserve established under this chapter shall not relieve a participating property owner from the obligation to pay that amount.~~]

8 Repeal. RSA 53-F:1, V, relative to the definition of property owner, is repealed.

9 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes changes in the financing of loans by energy efficiency and clean energy districts.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Carol McGuire spoke in favor and yielded to questions.
Majority committee report adopted and ordered to third reading.

HB 272, designating the Ham Branch watershed in Easton as a protected river and exempting the Ham Branch watershed from the comprehensive shoreland protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick C. Rice for Resources, Recreation and Development. The Ham Branch river watershed lies completely within the town boundaries of Easton. This bill would designate the Ham Branch watershed as a protected river under the rivers management and protection program (RMPP), to be managed by the town of Easton, and would exempt it from the Comprehensive Shoreland Protection Act (CSPA). The amendment clarifies certain language in the bill, exempting this protected river from shoreland protection, but also making it perfectly clear that the RMPP incorporates, and is more stringent than, the CSPA. The amendment also sunsets the CSPA exemption in three years, so that if the town did not maintain appropriate standards, the statewide requirements would still apply. Vote 14-5.

Amendment (0530h)

Amend the title of the bill by replacing it with the following:

AN ACT designating the Ham Branch River watershed in Easton as a protected river, and exempting portions of the Ham Branch River watershed from the shoreland water quality protection act.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Ham Branch River; Designated for Protection. Amend RSA 483:15 by inserting after paragraph XVIII the following new paragraph:

XIX.(a) Ham Branch River and its watershed tributaries.

(1) Ham Branch River, as a natural river from its headwaters in Easton at 44.060275, -71.791586, state plane coordinates, north 6.1 miles to the Franconia-Easton town line.

(2) Reel Brook, as a natural river from its headwaters in Easton at 44.10318, - 71.76841, state plane coordinates, to its confluence with the Ham Branch River in Easton (3.6 miles).

(3) Unnamed tributary C, as a natural river from its headwaters in Easton at 44.126754, - 71.779108, state plane coordinates, to its confluence with Reel Brook (1.3 miles).

(4) Unnamed Tributary D, as a natural river from its headwaters in Easton at 44.11914, - 71.76787, state plane coordinates, to its confluence with the Reel Brook (0.7 miles).

(5) Slide Brook, as a natural river from its headwaters in Easton at 44.13108, - 71.76225, state plane coordinates, to its confluence with the Ham Branch River in Easton (2.4 miles).

(6) Unnamed tributary B, as a natural river from its headwaters in Easton at 44.12875, - 71.76939, state plane coordinates, to its confluence with Slide Brook (0.5 miles).

(7) Unnamed tributary A, as a natural river from its headwaters in Easton at 44.13807, - 71.77415, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.1 miles).

(8) Judd Brook, as a natural river from its headwaters in Easton at 44.14258, - 71.76733, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.2 miles).

(9) Kendall Brook, as a natural river from its headwaters in Easton at 44.15002, - 71.76195, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.2 miles).

(10) Flume Brook, as a natural river from its headwaters in Easton at 44.15427, - 71.75769, state plane coordinates, to its confluence with Kendall Brook in Easton (0.7 miles).

(11) Brooks Brook, as a natural river from its headwaters in Easton at 44.15655, - 71.74998, state plane coordinates, to its confluence with the Ham Branch in Easton (1.6 miles).

(12) Pepper Brook, as a natural river from the Sugar Hill-Easton town line at 44.17521, - 71.78583, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.1 miles).

(13) Noyes Brook, as a natural river from its headwaters in Easton at 44.15239, - 71.80263, state plane coordinates, to its confluence with the Ham Branch River in Easton (0.6 miles); and

(14) Unnamed Tributary E, as a natural river from its headwaters in Easton at 44.13398, - 71.81106, state plane coordinates, to its confluence with the Ham Branch River in Easton (1.0 miles).

(b) All 1st, 2nd, and 3rd order portions of the Ham Branch River and its tributary rivers shall be exempt from the provisions of the shoreland water quality protection act, RSA 483-B.

2 New Hampshire Rivers Management and Protection Program. Amend RSA 483:2 to read as follows:

483:2 Program Established; Intent. There is established within the department of environmental services the New Hampshire rivers management and protection program. It is the intent of the legislature that the New Hampshire rivers management and protection program shall complement and reinforce existing state and federal water quality laws, ***including RSA 483-B,*** and that in-stream flows are maintained along protected rivers, or segments thereof, in a manner that will enhance or not diminish the enjoyment of outstanding river characteristics pursuant to RSA 483:1. It is also the intent of the legislature that, through said program, the scenic beauty and recreational potential of such rivers shall be restored and maintained, that riparian interests shall be respected, and ***notwithstanding the provisions of RSA 483-B,*** that nothing in this chapter shall be interpreted to preempt any land and zoning authority granted to municipal bodies under RSA title LXIV.

3 Repeal. RSA 483:15, XIX(b), relative to the Ham Branch River, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect June 30, 2017.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill designates the Ham Branch watershed in Easton as a protected river and exempts the Ham Branch watershed from the comprehensive shoreland protection act.

This bill also prospectively removes the Ham Branch River from the shoreland water quality protection act.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 349, relative to state buffers for projects requiring wetland permits. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Beverly A. Ferrante for the Majority of Resources, Recreation and Development. This bill would require the department of environmental services (DES) to consider impacts to wetlands and buffers before granting permits for filling and dredging in wetlands. If enacted, as introduced, this bill request would for the first time impose state wide zoning restriction upon land areas adjacent to, but within, state jurisdictional wetlands. Zoning has traditionally been left to municipalities. These substantial state regulated jurisdictional areas would be subjective in terms of size of affected areas and the nature of activities permitted and to be limited. In addition, this bill, if enacted, would impose on DES substantial increase in administrative permit burdens, and budgetary increases due to the significantly greater supervisory and enforcement role. This bill appears to rely on a document known as the "revised NH method" for assessing project impacts that would be used to determine the required wet land buffer. This method clearly states that it is not designed for use as a specific method for impact analysis. A myriad of terms, definitions, and citations warrant closer scrutiny to ensure clarity and consistency requirements on this bill. For these reasons, the resources committee recommends that the sponsors, DES, and the NH Association of Natural Research Scientists fully examine all potential issues associated with his bill as introduced. Vote 12-8.

Rep. Suzanne H. Gottling for the Minority of Recourses, Recreation and Development. New Hampshire is the only state in the northeast that does not provide a protective buffer around valuable wetlands. Over the years, New Hampshire has grappled with the problem of how to distinguish which wetlands need and deserve protection. Implicit in this is the challenge of balancing ecological concerns with landowner rights. The land use commission (HB 1579), comprised of ecologists and members of the regulated community, determined that policies related to wetlands must be firmly based on well-documented science. If HB 349 is amended to create a study committee, the New Hampshire Association of Natural Resource Scientists have agreed to assist the committee by convening a workgroup. This workgroup would develop a method of evaluating wetlands and propose ways to apply science to determine the need for and extent of a buffer. The buffer would apply to the small number of directly impacted wetlands that require a state wetlands permit, not wetlands under the jurisdiction of municipal regulation. This legislative study committee would also provide the opportunity for the regulated community, ecologists, municipalities, state and federal agencies, and legislators to develop a policy based in science and attuned to New Hampshire's needs.

LAID ON THE TABLE

Rep. Chris Christensen moved that **HB 349,** relative to state buffers for projects requiring wetland permits, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James A. Parison for the Majority of Science, Technology and Energy. This bill, as amended, provides a payment mechanism to collect the E911 surcharge from pre-paid cell phone users who currently evade NH law at the expense of customers who fund E911 through their monthly phone bills. In 1997, NH amended section 106:H9 to include cellular phone users in the population required to pay the E911 fee because these phones also use emergency services. At that time prepaid phones did not exist, but now are estimated to be 22% of the market and growing. This bill does not present any new fee or tax. Instead, it will reduce costs for the entire population now funding the service by bringing these users into compliance. Vote 14-5.

Rep. Carolyn Halstead for the Minority of Science, Technology and Energy. While the minority believes that E911 is a good service to have, we disagree with this bill's attempt to add a new tax to the prepaid cell-phone model, especially since many of these customers are in the poor, bad credit or elderly category. The original funding of E911 was based on the assumption that everyone had a monthly phone bill that could be taxed. This bill is an attempt to get people on the prepaid models to also pay. This bill is inefficient, doesn't go far enough and is costly to businesses. This bill makes businesses the debt collector - including transactions

on-line - by keeping track of such things like whether the number is a NH number, or whether you have given any information that links you to NH. The commissioner of the department of safety sets the monthly surcharge rates. This rate would apply each time someone renews their phone. Even though it seems that E911 is currently fully funded, this bill is an attempt to bring in more revenue.

Majority Amendment (0360h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Enhanced 911 System; Definition of Commercial Mobile Radio Service. Amend RSA 106-H:2 by inserting after paragraph III the following new paragraph:

III-a. "Commercial mobile radio service" means commercial mobile radio service as defined in 47 C.F.R. section 20.3.

2 New Paragraph; Enhanced 911 System; Definition of Prepaid Commercial Mobile Radio Service. Amend RSA 106-H:2 by inserting after paragraph VIII-a the following new paragraph:

VIII-b. "Prepaid commercial mobile radio service" means commercial mobile radio service that allows a caller to dial 911 to access the E911 system, which service must be paid for in advance and is either sold in predetermined units or dollars which decline with use in a known amount or is sold for unlimited use during a predetermined period of time.

3 Enhanced 911 System; Funding. Amend RSA 106-H:9, I(a) to read as follows:

I.(a) The enhanced 911 system and the statewide emergency notification system shall be funded through a surcharge to be levied upon each residence and business telephone exchange line, including PBX trunks and Centrex lines, each individual commercial mobile radio service number[;] ***and*** each VoIP service number with a place of primary use within New Hampshire, and each semi-public and public coin and public access line. For purposes of this subparagraph, "place of primary use" shall have the same meaning as the definition contained in 4 U.S.C. section 124(8). No such surcharge shall be imposed upon more than 25 business telephone exchange lines, including PBX trunks and Centrex lines, or more than 25 commercial mobile radio service exchange lines or VoIP service lines or channels per customer billing account.

4 Enhanced 911 System; Funding. Amend RSA 106-H:9, I(c) to read as follows:

(c) In the case of an entity which provides commercial mobile radio service the surcharge shall be billed to each customer on a monthly basis and shall not be subject to any state or local tax; the surcharge shall be collected by the commercial mobile radio service provider, and may be identified on the customer's bill. ***For prepaid commercial mobile radio service, the provisions of paragraph I-a shall apply.***

5 Enhanced 911 System; Funding. Amend RSA 106-H:9, I(e) to read as follows:

(e) Each ***seller of prepaid commercial mobile radio service as described in paragraph I-a and each*** local exchange telephone company, VoIP service provider, or entity which provides commercial mobile radio service shall remit the surcharge amounts on a monthly basis, as prescribed by the commissioner, to the enhanced 911 services bureau, which shall be forwarded to the state treasurer for deposit in the enhanced 911 system fund. The state treasurer shall pay expenses incurred in the administration of the enhanced 911 system and the statewide emergency notification system from such fund. Such fund shall not lapse. If the expenditure of additional funds over budget estimates is necessary for the proper functioning of the enhanced 911 system or the statewide emergency notification system, the department of safety may request, with prior approval of the fiscal committee of the general court, the transfer of funds from the enhanced 911 system fund to the department of safety for such purposes. The moneys in the account shall not be used for any purpose other than the development and operation of enhanced 911 services and the statewide emergency notification system, in accordance with the terms of this chapter. Surcharge amounts shall be reviewed after the budget has been approved or modified, and if appropriate, new tariffs or rate schedules shall be filed with the public utilities commission reflecting the surcharge amount.

6 New Paragraph; Enhanced 911 System; Funding; Prepaid Commercial Mobile Radio Service. Amend RSA 106-H:9 by inserting after paragraph I the following new paragraph:

I-a. Prepaid commercial mobile radio service.

(a) In this paragraph:

(1) "Consumer" means a natural person or any other person who purchases prepaid commercial mobile radio service in a retail transaction.

(2) "Commissioner" means the commissioner of the department of safety.

(3) "Division" means the division of emergency services and communications of the department of safety.

(4) "Entity" means a natural person or any other person, including any firm, corporation, partnership, or business organization.

(5) "Provider" means an entity that provides prepaid commercial mobile radio service pursuant to a license issued by the Federal Communications Commission.

(6) "Retail transaction" means the purchase of prepaid commercial mobile radio service from a seller for any purpose other than resale.

(7) "Seller" means an entity, including a provider, who sells prepaid commercial mobile radio service to a consumer.

(b) There is hereby imposed a prepaid commercial mobile radio service E911 surcharge that shall be levied on each retail transaction sourced to New Hampshire. The amount of the surcharge levied for each retail transaction shall be the same as the surcharge imposed under RSA 106-H:9, I(a).

(c) For purposes of subparagraph (b), a retail transaction is sourced to New Hampshire:

(1) If the transaction occurs in person at a seller's location in New Hampshire; or

(2) If subparagraph (1) does not apply, the prepaid commercial mobile radio service is evidenced by a physical item, such as a card, and the purchaser provides a New Hampshire delivery address for such item; or

(3) If subparagraphs (1) and (2) do not apply, the consumer gives a New Hampshire address during the consummation of the sale, including the address associated with the consumer's payment instrument if no other address is available, and the address is not given in bad faith; or

(4) If subparagraphs (1) – (3) do not apply, the consumer's mobile telephone number is associated with a postal zip code, telephone area code, or location within New Hampshire.

(d) The prepaid commercial mobile radio service E911 surcharge shall be collected by the seller from the consumer with respect to each retail transaction sourced to New Hampshire. The amount of the surcharge shall be either separately stated on an invoice, receipt, or other similar document that is provided by the seller to the consumer, or otherwise disclosed to the consumer.

(e) The seller shall be liable to remit all charges required by this paragraph to be collected from consumers including all such charges that the seller is deemed to collect where the amount of the surcharge has not been separately stated on an invoice, receipt, or other similar document provided by the seller to the consumer.

(f) The prepaid commercial mobile radio service E911 surcharge shall not be subject to any other state or local tax.

(g) If a minimal amount of prepaid commercial mobile radio service is sold with a prepaid mobile device for a single, non-itemized price, then the seller may elect not to apply the surcharge to such transaction. For purposes of this subparagraph, an amount of service denominated as 10 minutes or less, or 5 dollars or less, is minimal.

(h) With respect to sales made prior to July 1, 2016, a seller may deduct and retain 3 percent of the prepaid commercial mobile radio service E911 charges that are collected by the seller from consumers.

(i) Whenever lawful, providers and sellers of prepaid commercial mobile radio service shall put forth reasonable good faith efforts to cooperate with and provide timely and reasonable assistance to the division, its E911 telecommunications supervisors and investigative or law enforcement officers of this state, or any town, city, or county in this state, in connection with locating the source of any emergency E911 call or lawful investigation or activity by such telecommunications supervisor or law enforcement officer. In such instances, providers and sellers of prepaid commercial mobile radio service shall not be liable for damages to any person resulting from or incurred in connection with the provision of such lawful assistance. In such instances, providers and sellers of prepaid commercial mobile radio service shall not be liable for damages to any person resulting from or incurred in connection with the provision of such lawful assistance.

(j) Beginning on January 1, 2016, prepaid commercial mobile radio service providers shall report annually to the division the total number of active prepaid commercial mobile radio service customers in New Hampshire. For purposes of such report, "active prepaid commercial mobile radio service customers" shall include all prepaid commercial mobile radio service customers with a New Hampshire telephone number on the date of the report, or if account balance information is

not available, otherwise determined not to be active by comparable data. All information submitted to the division by a provider shall be considered proprietary and confidential and shall not be considered a public record under RSA 91-A.

7 Enhanced 911 System; Funding; Records Disclosure. Amend RSA 106-H:9, III(b)(3) to read as follows:

(3) Disclosure to the department of revenue administration of records, files, and information required by the department of revenue administration to administer the communications services tax pursuant to RSA 82-A ***and to assist the bureau in its administration of RSA 106-H:9***.

8 Effective Date. This act shall take effect January 1, 2016.

On a division vote, 200 members having voted in the affirmative and 102 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Parison spoke in favor.
Rep. Halstead spoke against.
Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 167 - NAYS 152

YEAS - 167

BELKNAP

Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan		

CHESHIRE

Abbott, Michael	Ames, Richard	Bordenet, John	Chase, Cynthia
Hunt, John	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Hennessey, Martha	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Balcom, John	Belanger, James	Biggie, Barbara
Brown, Pamela	Coffey, James	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Donovan, Daniel	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Haefner, Robert	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Infantine, William
Jack, Martin	Kurk, Neal	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	O'Brien, Michael	O'Neil, William
Ober, Lynne	Parison, James	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Smith, Timothy	Snow, Kendall	Souza, Kathleen
Straight, Phillip	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Ebel, Karen
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kotowski, Frank
Luneau, David
MacKay, James
Myler, Mel
Ratzki, Mario
Saunderson, George
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Christie, Andrew
Cook, Allen
Cushing, Robert
Devine, James
Doucette, Fred
Elliott, Robert
Francese, Paula
Griffin, Mary
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Lovejoy, Patricia
Matthews, Carolyn
Milz, David
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Sherman, Thomas
Simpson, Alexis
Sytek, John
Vose, Michael
Welch, David

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
DiSesa, Len
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 152

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Flanders, Donald
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
Luther, Robert
Spanos, Peter
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Nelson, Bill
Wright, Ted

CHESHIRE

Berch, Paul
Emerson, Susan
McConnell, Jim
Parkhurst, Henry
Tilton, Benjamin

COOS

Rideout, Leon

GRAFTON

Darrow, Stephen
Gionet, Edmond
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christie, Rick
Danielson, David
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gould, Linda
Goulette, William
Griffin, Barbara
Halstead, Carolyn
Hansen, Peter
Hogan, Edith

Hopper, Gary	Lachance, Joseph	Manley, Jonathan	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
Ober, Russell	Ohm, Bill	Pellegrino, Anthony	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Seidel, Carl	Silva, Peter
Simmons, Tammy	Smith, Gregory	Soucy, Timothy	Sullivan, Daniel
Sullivan, Victoria	Twombly, Timothy	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	Doherty, David	Frazer, June	French, Harold
Hill, Gregory	Hoell, J.R.	Horn, Werner	Kuch, Bill
Long, Douglas	Martin, John	McGuire, Carol	McGuire, Dan
Schuett, Dianne	Seaworth, Brian	Turcotte, Alan	

ROCKINGHAM

Abramson, Max	Allen, Mary	Barnes, Arthur	Bates, David
Belanger, Ronald	Chirichiello, Brian	DeSimone, Debra	DiFranco, Debbie
Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Gannon, William	Gordon, Pamela	Gordon, Richard	Guthrie, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Kolodziej, Walter	Lundgren, David	Major, Norman
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Nigrello, Robert
Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick	Sanders, Elisabeth
Spillane, James	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Ward, Gerald	Ward, Joanne	Webb, James
Woitkun, Steven	Wood, David		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gardner, Janice
Gray, James	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Spang, Judith
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Laware, Thomas	Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

MOTION TO LAY ON THE TABLE

Rep. Halstead moved that **HB 391-FN,** applying the E911 surcharge to prepaid cellular telephones, be laid on the table.

On a division vote, 153 members having voted in the affirmative and 166 in the negative, the motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. White moved that the House reconsider its action whereby, on a roll call vote of 167-152, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 391-FN,** applying the E911 surcharge to prepaid cellular telephones. Rep. White spoke against.

On a division vote, 125 members having voted in the affirmative and 190 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 544, allowing the general court to deny a utility the use of the power of eminent domain. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James A. Parison for the Majority of Science, Technology and Energy. The majority of the committee, while in general agreement with the goal of protecting private property, opposed this particular approach for two basic reasons: first, there were practical concerns around a full year

delay that could impede implementation of critical projects, not just elective projects; secondly, the legislature in passing HB 648 recently defined an objective criteria and process to reinforce protections in the NH Constitution against taking of private property for a private purpose. This bill would add a step where subjective and even political factors could enter into the decision, potentially weakening protections for property owners if agencies like the Public Utility Commission (PUC) decided to "rubber stamp" projects in deference to the legislature. Vote 16-3.
Rep. Laurence M. Rappaport for the Minority of Science, Technology and Energy. The minority agrees with the bill's author that eminent domain seldom results in fair and reasonable settlements even though mandated. The sponsor interviewed many subjects who lost their property in eminent domain proceedings and found none who believed their settlement was fair. This bill attempts to give the legislature a vote in the matter. While local utilities were opposed and claimed they never used it, the committee received testimony from some NH landowners who said they were initially threatened with its use.
Majority committee report adopted.

HB 574-FN, relative to regional greenhouse gas initiative distributions to residential customers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill sought to eliminate distributions from the sale of regional greenhouse gas initiatives (RGGI) allowances to residential electric ratepayers. It gave the funds instead to commercial and industrial customers. This bill would perpetuate government's inefficient involvement in implementing energy efficiency programs. The committee felt that unleashing free-market forces would provide a better path to expanding energy efficiency efforts. Vote 11-8.
Rep. David A. Borden for the Minority of Science, Technology and Energy. The minority of the committee supported this bill, which would help double the number of low-income families receiving weatherization services in their homes. The committee heard testimony that families living close to the margin have to choose between food and fuel, often having to buy expensive kerosene by the gallon when cash is tight. Sadly, approximately 80,000 homes are eligible for assistance and only 700 per year are currently being served.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Borden spoke against.
Rep. Vose spoke in favor.
On a division vote, 179 members having voted in the affirmative and 129 in the negative, the majority committee report was adopted.

SPECIAL ORDER
HB 113, designating the mastodon as the official state fossil. **INEXPEDIENT TO LEGISLATE.**
Rep. John Sytek for Executive Departments and Administration. This bill would designate the mastodon as the official state fossil (as does Michigan). It is the result of the third (now fourth) grade class project at Bradford elementary school. The committee was impressed with the quality of the effort. The pupils enlisted the aid of both UNH and Dartmouth professors. Three well-spoken pupils stated their case in testimony before the committee. However, the committee felt that New Hampshire has enough cultural and historical artifacts such as our state motto, flower and bird. There was no compelling evidence to indicate that the lack of a state fossil would detract from the imagery of our state nor would adding this designation significantly complement the extant array of our state emblems. Vote 11-4.
Rep. Sherman spoke against and yielded to questions.
Rep. Sytek spoke in favor.
On a division vote, 207 members having voted in the affirmative and 109 in the negative, the committee report was adopted.

SPECIAL ORDER
HB 551-FN, relative to preventing diversion of business income to tax havens. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Jordan G. Ulery for the Majority of Ways and Means. This bill would fundamentally change the manner New Hampshire collects taxes on businesses in the state that are organized overseas. While the analysis suggests an undeterminable increase in revenue, there is a corresponding large

increase in administrative costs by the DRA and a biannual review of foreign nations to determine which nations are or are not tax havens, a difficult to understand definition. The biannual review may involve declaring the property of our largest trading partner, Canada, in the name of its Queen, the islands of Jersey and Guernsey. New Hampshire already has too high tax on the entities that give our neighbors jobs. Do we really want to make the granite state even more unfriendly to business? Vote 13-8.

Rep. Richard Ames for the Minority of Ways and Means. Large multi-national corporations have developed elaborate schemes to avoid taxation by hiding profits in subsidiary corporations based in overseas tax haven jurisdictions. As currently structured, our business profits tax is unable to reach and tax NH's fair share of these profits, even though the profits are attributable to NH-based business activity. Smaller NH-based businesses are unable to engage in these international profit-shifting schemes and therefore bear a greater tax burden than the big multi-national corporations. HB 551, following the lead of Montana and Oregon, would amend our business profits tax so as to pierce this overseas corporate veil and close this unfair tax loophole. The bill identifies by name the overseas jurisdictions that are currently known to serve as tax havens. The bill includes a tax haven definition and a process to enable the periodic updating of the tax haven list. Profits realized by business organizations incorporated in these tax haven jurisdictions, unlike all other overseas corporations that are beyond the so-called "water's edge," are then brought back into the NH business profits tax apportionment formula. This system has been in effect to good effect in Montana for about a decade and in Oregon since 2013. The governor's budget estimated that this change in law in NH would produce $3.5M in FY 2016 and $8.0M in FY 2017.

LAID ON THE TABLE

Rep. Almy moved that **HB 551-FN,** relative to preventing diversion of business income to tax havens, be laid on the table.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 11, 2015

HB 263, prohibiting residency restrictions on sex offenders. **OUGHT TO PASS.**

Rep. John F. Martin for Criminal Justice and Public Safety. The purpose of this bill is to prohibit municipalities from enacting residency restrictions on sex offenders. These restrictions tend to limit opportunities to decent housing, job opportunities and financial support. These restrictions often cause offenders to fail to accurately register their residency, making supervision more difficult and increasing the possibility of either reoffending or association with other offenders prohibited under the terms of their release. Vote 17-0.

LAID ON THE TABLE

Rep. Webb moved that **HB 263,** prohibiting residency restrictions on sex offenders, be laid on the table.

On a division vote, 203 members having voted in the affirmative and 106 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 492-FN-L, relative to military and historic reenactments and commemorations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John E. Tholl for Criminal Justice and Public Safety. The bill, as amended, removes the reference to fireworks from the bills title as there is no reference to fireworks in the RSA. It removes the requirement to obtain a permit from the police chief and only requires notification of the police and fire chief. The amendment adds the requirement that only blank ammunition may be used and defines blank ammunition. Vote 15-0.

Amendment (0690h)

Amend the bill by replacing all after the enacting clause with the following:

1 Unauthorized Use of Firearms and Firecrackers. Amend RSA 644:13, II and III to read as follows:

II. For the purposes of this section[~~, "compact part"~~].

(a) "Blank ammunition" means a cartridge loaded with propellant and a wad, but no projectile.

(b) "Compact part" means the territory within a town or city comprised of the following:

[~~(a)~~] *(1)* Any nonresidential, commercial building, including, but not limited to, industrial, educational, or medical buildings, plus a perimeter 300 feet wide around all such buildings without permission of the owner.

[~~(b)~~] *(2)* Any park, playground, or other outdoor public gathering place designated by the legislative body of the city or town.

[~~(c)~~] *(3)* Any contiguous area containing 6 or more buildings which are used as either part-time or permanent dwellings and the spaces between them where each such building is within 300 feet of at least one of the others, plus a perimeter 300 feet wide around all the buildings in such area.

III. Paragraph I shall not apply to the firing or discharge of a cannon, gun, pistol, or other firearm within the compact part of a town or city for the following events, provided that the person responsible for organizing the event notifies the police department [~~of~~] ***and the fire department prior to*** the following events ***using blank ammunition***:

(a) The celebration of, or practice for the celebration of, military events, military funerals, national holidays, or other military or veterans commemorations, conducted by United States armed forces personnel; or

(b) Military re-enactors registered with the secretary of state's office ***and who meet the requirements of the state fire code pursuant to RSA 153:5***; or

(c) Funerals or commemorative events conducted by law enforcement agencies, fire departments, emergency medical services, or other public safety agencies***, or official veterans organizations including but not limited to the American Legion or Veterans of Foreign Wars***.

2 Unauthorized Use of Firearms and Firecrackers; Section Heading Amended. Amend the section heading of RSA 644:13 to read as follows:

644:13 Unauthorized Use of Firearms [~~and Firecrackers~~].

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires military and historic re-enactors to obtain permission from the fire department and comply with the state fire code and amends a section heading to remove an obsolete reference. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Tholl spoke in favor.
Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

YEAS 258 - NAYS 54

YEAS - 258

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Hurt, George
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Buco, Thomas	Butler, Edward	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Wright, Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	McConnell, Jim
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard
Almy, Susan
Brown, Chris
Cooney, Mary
Darrow, Stephen
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Coffey, James
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Estevez, Eric
Freitas, Mary
Gagne, Larry
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Hopper, Gary
Infantine, William
Jack, Martin
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
Murotake, David
Notter, Jeanine
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shattuck, Gilman
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Twombly, Timothy
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
Martin, John
Myler, Mel
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kappler, Lawrence
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sanders, Elisabeth
Sherman, Thomas
Sytek, John
Thomas, Douglas
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Kaen, Naida	Leeman, Don
Mullen, John	Rollo, Deanna	Schmidt, Peter	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Verschueren, James	Wall, Janet	Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	Smith, Steven

NAYS - 54

BELKNAP

Aldrich, Glen	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Luther, Robert	Spanos, Peter	Sylvia, Michael	

CARROLL

Avellani, Lino	Comeau, Ed		

GRAFTON

Ingbretson, Paul	Johnson, Eric		

HILLSBOROUGH

Ammon, Keith	Belanger, James	Bouldin, Amanda	Christie, Rick
Eastman, Eric	Ferreira, Elizabeth	Fromuth, Bart	Halstead, Carolyn
Hansen, Peter	Hogan, Edith	McLean, Mark	Moore, Josh
Murphy, Keith	Silva, Peter	Sullivan, Victoria	

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Kuch, Bill
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Harris, Jeffrey
Itse, Daniel	Kellogg, Shem	Osborne, Jason	Simpson, Alexis
Spillane, James	Tasker, Kyle	True, Chris	Tucker, Pamela

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Whitehouse, Joshua	

SULLIVAN

Laware, Thomas	Rollins, Skip		

and the committee report was adopted and ordered to third reading.

HB 568-FN, requiring a supervisory law enforcement officer to arrest a law enforcement officer when the supervisor knows that the law enforcement officer has committed a criminal offense. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety. The bill as written would have required a law enforcement supervisor to arrest an officer when he knows that the officer has committed a crime. This would make the supervisor guilty of a misdemeanor if he/she fails to make the arrest. Knowing that someone had committed a crime is vastly different in having probable cause to make an arrest. The bill removes discretion from the supervisor and should there be an ongoing investigation on the felony level making an arrest for a minor offense could detrimentally effect the more serious investigation, as Miranda rights and right to an attorney attach upon the arrest. Vote 16-0.

Rep. DiSesa spoke in favor.

Rep. Itse spoke against and requested a roll call; sufficiently seconded.

YEAS 231 - NAYS 66

YEAS - 231

BELKNAP

Dumais, Russell
Fields, Dennis
Flanders, Donald
Fraser, Valerie
Gallagher, Brian
Hurt, George
Luther, Robert
Spanos, Peter
Tilton, Franklin
Vadney, Herbert

CARROLL

Buco, Thomas
Butler, Edward
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Wright, Ted

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Emerson, Susan
Hunt, John
Parkhurst, Henry
Phillips, Larry
Robertson, Timothy
Sad, Tara
Sterling, Franklin
Tatro, Bruce
Weber, Lucy

COOS

Fothergill, John
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John

GRAFTON

Abel, Richard
Almy, Susan
Brown, Chris
Cooney, Mary
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Brown, Pamela
Burt, John
Byron, Frank
Coffey, James
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Freitas, Mary
Gagne, Larry
Goley, Jeffrey
Gorman, Mary
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Infantine, William
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McClarren, Donald
McLean, Mark
Murotake, David
Ober, Lynne
Ober, Russell
Ohm, Bill
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shattuck, Gilman
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Martin, John
McGuire, Dan
Myler, Mel
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Barnes, Arthur	Bates, David	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chirichiello, Brian	Christie, Andrew	Cushing, Robert	DeSimone, Debra
Devine, James	Doucette, Fred	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Francese, Paula	Gannon, William	Gordon, Pamela
Gordon, Richard	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Kolodziej, Walter	Lovejoy, Patricia	Major, Norman	Matthews, Carolyn
McBeath, Rebecca	McMahon, Charles	Milz, David	O'Connor, John
Packard, Sherman	Pantelakos, Laura	Potucek, John	Sanders, Elisabeth
Sherman, Thomas	Simpson, Alexis	Sytek, John	Thomas, Douglas
Vose, Michael	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Wood, David		

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	DiSesa, Len	Gardner, Janice
Gray, James	Hannon, Joseph	Horrigan, Timothy	Jones, Laura
Kaen, Naida	Leeman, Don	Mullen, John	Rollo, Deanna
Schmidt, Peter	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard	Verschueren, James
Wall, Janet	Wuelper, Kurt		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Smith, Steven		

NAYS - 66

BELKNAP

Aldrich, Glen	Howard, Jr., Raymond	Sylvia, Michael	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed

CHESHIRE

McConnell, Jim	Tilton, Benjamin

COOS

Rideout, Leon	Thomas, Yvonne

GRAFTON

Darrow, Stephen	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Bouldin, Amanda	Christie, Rick
Eastman, Eric	Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gidge, Kenneth	Gould, Linda	Hogan, Edith	Lachance, Joseph
Moore, Josh	Murphy, Keith	Notter, Jeanine	Parison, James
Rice, Kimberly	Silva, Peter	Simmons, Tammy	Sullivan, Victoria
Twombly, Timothy	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	McGuire, Carol	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Cook, Allen
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Tasker, Kyle	True, Chris	Tucker, Pamela	

STRAFFORD

Beaudoin, Steven	Groen, Warren	Kaczynski, Jr., Thomas	Knowles, Robert
Whitehouse, Joshua			

SULLIVAN

Bridge, Ernest	Laware, Thomas	Rollins, Skip

and the committee report was adopted.

HB 598, relative to the definition of deadly force. **INEXPEDIENT TO LEGISLATE.** Rep. Arthur E. Barnes for Criminal Justice and Public Safety. This bill would alter the definition of "the use of deadly force," which would impact the ability to use self defense. By tightening the definition of deadly force to an act that results in death or serious injury it likewise reduces the circumstances wherein a victim may use deadly force to defend themselves. Vote 16-0.
Rep. Abramson spoke against.
Rep. Tholl spoke in favor.
On a division vote, 298 members having voted in the affirmative and 5 in the negative, the committee report was adopted.

HB 317, relative to contracts between schools and school districts. **INEXPEDIENT TO LEGISLATE.** Rep. Mary Heath for Education. This bill requires an unrealistic burden on the house education committee by requiring the review and approval of non-public schools and also the review of contracts between schools and school districts. There is a process in place currently without legislating that legislators carry out this process. Vote 18-2.
Rep. Eastman spoke against.
Rep. Ladd spoke in favor.
On a division vote, 246 members having voted in the affirmative and 39 in the negative, the committee report was adopted.

HB 323, relative to the administration of the statewide assessment program. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Rick M. Ladd for Education. Currently statewide assessment occurs in grades 3, 4, 5, 6, 7, 8 and 11. This testing process also duplicates mandated assessments required by the elementary and secondary education act. It is widely believed that we are testing too much with valuable instructional time lost; a definite detractor to teaching and learning. Further, there are other reliable techniques to measure student growth: portfolios, teacher reports, transcripts, performance-based outcomes, student progress reports and on going formative assessments. Recently, the council of chief school officers recommended that states should have more control of improvement and assessment, rather than being driven by federal mandates. This bill, as amended, recommends that statewide assessments occur in grades 4, 6, 8 and 11. This process provides for testing one grade level within four grade spans extending from grade 3-12. This testing procedure would keep NH in compliance with federal testing levels. In addition, by using the SAT in grade 11 rather than smarter balanced, as does Maine, NH will have more students taking a college readiness assessment with the outcome of increased college enrollments by 2-3%. Lastly, testing is big business. Throughout the US, $2.5B is annually spent on testing. By eliminating smarter balanced testing in grades 3, 5 and 7, NH will also save an annual general fund expenditure of approximately $850,000+. Vote 20-1.

Amendment (0612h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program; Assessment Required. Amend RSA 193-C:6 to read as follows:

193-C:6 Assessment Required. Each year, a statewide assessment shall be administered in all school districts in the state in [~~grades 3 through 8 and one grade in high school~~] ***grade spans 3-4,***

5-6, 7-8, and 9-12. Evidence of student achievement submitted to the United States Department of Education and assessment data required in support of the performance base accountability system as provided in RSA 193-E:3-c and RSA 193-E:3-d in conformity with competency-based strategies identified in RSA 193-H:1 shall be collected in grades 4, 6, 8, and 11. All public school students in the designated [~~grades~~] ***grade within each grade span*** shall participate in the assessment, unless such student is exempted, or provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, allow pupils to participate in that state's assessment program as an alternative to the assessment required under this chapter. Home educated students may contact their local school districts if they wish to participate in the statewide assessment. Private schools may contact the department of education to participate in the statewide assessment.

2 Statewide Education Improvement and Assessment Program. Amend RSA 193-C:3, IV(i) to read as follows:

(i) At the end of grade [~~3~~] ***4***, to determine if pupils are reading at grade level on a standardized reading test to be developed by the department as part of a statewide assessment system.

3 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, II-a to read as follows:

II-a. An additional $675 for each [~~third~~] ***fourth*** grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.

4 Effective Date. This act shall take effect 60 days after its passage.

Rep. Ladd spoke against.

Committee amendment failed.

Rep. Ladd offered floor amendment (0806h).

Floor Amendment (0806h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statewide Education Improvement and Assessment Program; Assessment Required. Amend RSA 193-C:6 to read as follows:

193-C:6 Assessment Required. Each year, a statewide assessment ***program designed to yield specific data to use in identifying and improving instruction and learning*** shall be administered in all school districts in the state in grades 3 through 8 and one grade in high school. ***If approved through a federal education waiver, the New Hampshire department of education shall further develop criteria for an application and approval process that will allow school districts to meet certain readiness criteria to participate in a local model of assessment and accountability. This process will allow approved districts to implement the statewide assessment only in selected grades as determined by the department and as identified in the New Hampshire Performance Assessment for Competency Education (PACE) pilot.*** All public school students in the designated grades shall participate in the assessment, unless such student is exempted, or provided that the commissioner of the department of education may, through an agreement with another state when such state and New Hampshire are parties to an interstate agreement, allow pupils to participate in that state's assessment program as an alternative to the assessment required under this chapter. Home educated students may contact their local school districts if they wish to participate in the statewide assessment. Private schools may contact the department of education to participate in the statewide assessment. ***Nothing in this section shall preclude the use of a well established, curriculum-based college readiness examination of academic achievement, such as the College Board SAT as the high school assessment, where approved for federal accountability purposes.***

2 Effective Date. This act shall take effect 60 days after its passage.

Rep. Ladd spoke in favor and yielded to questions.

Floor amendment (0806h) adopted.

Committee report adopted and ordered to third reading.

HB 244-L, relative to the permissible level of methyl tertiary butyl ether in drinking water. **INEXPEDIENT TO LEGISLATE.**

Rep. John T. O'Connor for Environment and Agriculture. After hearing testimony from the Department of Environmental Services, the Oil Fund Disbursement Board, along with public water systems companies, the majority of the committee has determined that setting a standard for 0 parts-per-billion

(ppb) of MtBE is a technical impracticability. In addition, HB 244 would only regulate public water supplies and not address the thousands of homeowners' wells. Currently the Federal EPA is responsible for ensuring the safety of drinking water in the USA. The EPA has set MtBE advisory standards for odor and taste at 20-40 ppb, and have stated, "Keeping MtBE below this level should provide protection against any health effects with a wide margin of safety." New Hampshire's DES has set the MtBE standard lower than the EPA guidelines to a level of 13 ppb. With the recent settlement of the MtBE lawsuit, DES has set up a MtBE Remediation Bureau to address the issue statewide. They are charged with the responsibility of developing a comprehensive plan on mitigating MtBE. In January of this year, DES signed a contract with the US Geological Survey to evaluate MtBE distribution and concentration trends of NH aquifers with a report due by the end of December 2016. Therefore, the majority feels steps are currently being taken to address the problem. Vote 17-0.
Rep. McConnell spoke against.
Rep. O'Connor spoke in favor.
On a division vote, 242 members having voted in the affirmative and 32 in the negative, the committee report was adopted.

HB 139-FN, relative to an emergency exception under the New Hampshire retirement system for certain part-time employment. **INEXPEDIENT TO LEGISLATE.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill sought to allow certain part-time employees who are retired members of the NH Retirement System to exceed their allotted hours in an emergency declared by the governor. Retired members of the NHRS are statutorily prohibited from working more than part-time while simultaneously collecting retirement from the system. While the sponsor of the bill made a compelling case for the municipality he represents, and which currently has only part-time employees on their police force, the committee felt there are other remedies to this municipality's situation. Further, the committee was concerned that allowing exceptions to the current work guidelines for post-retirement employees may have a deleterious effect on the integrity of the NHRS fund. Vote 14-0.
Reps. Ratzki and Karrick spoke against.
Rep. Sytek spoke in favor.
Committee report adopted.

HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home. **INEXPEDIENT TO LEGISLATE.**
Rep. Peter B. Schmidt for Executive Departments and Administration. The committee heard from numerous members of the NH veterans' home community: residents, board of managers members and staff, on this and other related bills. There was strong and credible testimony that the home is well managed and served by competent and caring staff. Given current budgetary realities, the committee believes medical services provided meet reasonably attainable and appropriate standards. Vote 14-0.

LAID ON THE TABLE

Rep. Theberge moved that **HB 459,** establishing a committee to study medical services provided to residents of the New Hampshire veterans' home, be laid on the table.
Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HR 10, urging the department of justice to reexamine the conviction of Chad Evans. **INEXPEDIENT TO LEGISLATE.**
Rep. Paul S. Berch for Judiciary. This house resolution seeks to have the New Hampshire Attorney General investigate another time the conviction of Chad Evans for the brutal murder of twenty-one month old Kassidy Border, the daughter of his then girlfriend. It was clear to the judiciary committee that there is no legal authority for the legislature to compel such a re-evaluation by that office, and the committee noted that such a re-evaluation was conducted by the attorney general's office subsequent to the conviction. Mr. Evans was convicted of murder in a jury trial; a unanimous supreme court upheld his conviction; a federal court rejected his petition for writ of habeas corpus. The committee was informed that Mr. Evans will be proceeding in state court for habeas relief and unanimously agreed that would be the proper forum for him to present him claims, and this resolution is inappropriate and problematic. Vote 16-0.

MOTION TO INDEFINITELY POSTPONE

Rep. Hopper moved that **HR 10,** urging the department of justice to reexamine the conviction of Chad Evans, be indefinitely postponed.
On a division vote, 257 members having voted in the affirmative and 23 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 370-L, enabling counties and municipalities to establish minimum wage rates. **INEXPEDIENT TO LEGISLATE.**
Rep. Leon H. Rideout for Labor, Industrial and Rehabilitative Services. The committee felt that that allowing each municipality to create its own minimum wage would create a great deal of confusion for businesses in the state and be counterproductive in attracting new jobs to NH. If each municipality and county set their own minimum wage there could be up to 244 different rates. Vote 19-0.
Rep. Robertson spoke against.
Rep. Infantine spoke in favor.
Committee report adopted.

HB 402-FN, establishing the Franklin Partin right-to-work act. **INEXPEDIENT TO LEGISLATE.**
Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. The committee received two nearly identical right to work bills this session. The committee unanimously recommends ITL and the focus be on HB 658. Vote 19-0
Rep. William O'Brien spoke against.
Rep. Infantine spoke in favor.
Rep. White requested a roll call; sufficiently seconded.

YEAS 184 - NAYS 74

YEAS - 184

BELKNAP

Fields, Dennis	Tilton, Franklin	Vadney, Herbert	

CARROLL

Buco, Thomas	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Emerson, Susan	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Moynihan, Wayne	Richardson, Herbert	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Cooney, Mary
Darrow, Stephen	Ford, Susan	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Biggie, Barbara
Bouldin, Amanda	Brown, Pamela	Cornell, Patricia	Cote, David
Danielson, David	DiSilvestro, Linda	Edwards, Elizabeth	Freitas, Mary
Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary

Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Hopper, Gary
Infantine, William
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
O'Brien, Michael
O'Neil, William
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kotowski, Frank
Luneau, David
MacKay, James
Myler, Mel
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Hagan, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
Milz, David
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Sherman, Thomas
Simpson, Alexis
Sytek, John
Thomas, Douglas
True, Chris
Ward, Gerald
Ward, Joanne
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Kaen, Naida
Mullen, John
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Treleaven, Susan
Turcotte, Leonard
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 74

BELKNAP

Aldrich, Glen
Flanders, Donald
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
Spanos, Peter
Sylvia, Michael

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Wright, Ted

CHESHIRE

McConnell, Jim
Sterling, Franklin

GRAFTON

Gionet, Edmond
Hull, Robert
Johnson, Eric

HILLSBOROUGH

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Christie, Rick	Coffey, James	Eastman, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Hansen, Peter
Hogan, Edith	Lachance, Joseph	Marston, Dick	McClarren, Donald
McLean, Mark	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ohm, Bill	Parison, James	Twombly, Timothy	Wolf, Terry

MERRIMACK

Brewster, Michael	French, Harold	Kuch, Bill	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Bates, David	Emerick, J. Tracy
Gannon, William	Gordon, Richard	Harris, Jeffrey	Introne, Robert
Kappler, Lawrence	Kellogg, Shem	Osborne, Jason	Spillane, James
Vose, Michael	Weyler, Kenneth	Wood, David	

STRAFFORD

Beaudoin, Steven	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest

and the committee report was adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 25, 2015 at 10:00 a.m.

Motion adopted.

LATE SESSION

Third reading and final passage

HB 563-FN, relative to funding for chartered public school pupils.

HB 336, relative to seasons for hunting by crossbow.

HB 564-FN, relative to prior authorization for certain prescription drugs.

HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

HB 292, expanding the good Samaritan law to engineers and architects.

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities.

HB 606-FN-L, relative to costs for public records filed electronically.

HB 613, relative to governmental records exempted under the right-to-know law.

HB 614-FN, implementing goals of the state 10-year energy strategy.

HB 450, relative to the definition of "employee" for the purposes of workers' compensation and unemployment compensation.

HB 205-L, relative to lending practices of energy efficiency and clean energy districts.

HB 272, designating the Ham Branch River watershed in Easton as a protected river, and exempting portions of the Ham Branch River watershed from the shoreland water quality protection act.

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones.

HB 492-FN-L, relative to military and historic reenactments and commemorations.

HB 323, relative to the administration of the statewide assessment program.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.
Motion adopted.

The House recessed at 6:30 p.m.

RECESS

(Rep. Murotake in the Chair)

RESOLUTION

Rep. Berube offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 12, 47, 50, 53, 62, 103, 110, 115, 168, 171, 172, 178, 183, 192, 194, 202, 209, 211, 223, 230 and 236 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B. (Judiciary)
SB 47, repealing the payment of subminimum wages to persons with disabilities. (Labor, Industrial and Rehabilitative Services)
SB 50, relative to the content of a mortgage foreclosure notice. (Commerce and Consumer Affairs)
SB 53, repealing the interagency coordinating council for women offenders and transferring certain members and duties to the interbranch criminal and juvenile justice council. (Judiciary)
SB 62, relative to drivers' licenses for persons without a permanent address. (Transportation)
SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition. (Children and Family Law)
SB 110-FN, establishing the administrative supervision act. (Commerce and Consumer Affairs)
SB 115-FN, relative to the resale of condominium and subdivision time shares. (Commerce and Consumer Affairs)
SB 168, relative to the duties of the commissioner of the department of environmental services. (Resources, Recreation and Development)
SB 171, establishing a committee to study issues concerning parking for those with walking disabilities. (Transportation)
SB 172, relative to the size limitations of off highway recreational vehicles. (Resources, Recreation and Development)
SB 178, relative to optometrist participation in vision insurance plans. (Commerce and Consumer Affairs)
SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns. (Fish and Game and Marine Resources)
SB 192-FN, permitting the department of revenue administration to conduct employee candidate background checks and establishing the position of tax policy analyst within the department. (Ways and Means)
SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions. (Education)
SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board. (Commerce and Consumer Affairs)
SB 209-FN, adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. (Judiciary)
SB 211-FN, relative to taxation of employee leasing companies under the business enterprise tax. (Ways and Means)
SB 223-FN, relative to name availability for business organizations. (Commerce and Consumer Affairs)
SB 230-FN-L, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic. (Transportation)
SB 236-FN, relative to alcohol ignition interlock requirements. (Criminal Justice and Public Safety)

RECESS

(Rep. Ohm in the Chair)

RESOLUTION

Rep. Carol McGuire offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 8, 22, 23, 32, 40, 49, 52, 55, 75, 77, 84, 86, 92, 108, 113, 117, 119, 124, 133, 134, 146, 151, 154, 160, 161, 163, 181, 200, 219, 250, 258 and 259 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 8-FN-L, relative to appropriations for nursing homes. (Finance)
SB 22, relative to certain changes in the law governing the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)
SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions. (Health, Human Services and Elderly Affairs)
SB 32, relative to state agency budgetary reporting requirements. (Finance)
SB 40-FN, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses. (Criminal Justice and Public Safety)
SB 49, relative to clinical eligibility determination for long-term care. (Health, Human Services and Elderly Affairs)
SB 52, establishing a commission to study the issue of residential tenancies in foreclosed properties. (Commerce and Consumer Affairs)
SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions. (Commerce and Consumer Affairs)
SB 75, relative to unfair trade practices targeting veterans. (Commerce and Consumer Affairs)
SB 77-L, authorizing the creation of a special purpose village district within the town of Danbury. (Municipal and County Government)
SB 84, relative to the definition of "telemedicine." (Health, Human Services and Elderly Affairs)
SB 86, relative to state procurement of goods and services. (Executive Departments and Administration)
SB 92, establishing a committee to study public access to political campaign information. (Election Law)
SB 108-FN, relative to health care associated infections. (Health, Human Services and Elderly Affairs)
SB 113-FN-A-L, relative to video lottery and table gaming. (Ways and Means)
SB 117-FN-L, relative to energy security and diversity. (Science, Technology and Energy)
SB 119, relative to the regulation of consumer guaranty contracts and debt cancellation or debt suspension agreements by the insurance department. (Commerce and Consumer Affairs)
SB 124-FN, relative to filing felonies first in the superior court. (Judiciary)
SB 133-FN, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department. (Health, Human Services and Elderly Affairs)
SB 134-FN, relative to the escheat of United States savings bonds. (Ways and Means)
SB 146, relative to accessory dwelling units. (Municipal and County Government)
SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance. (Education)
SB 154, authorizing the department of safety to set fees for motorcycle rider education programs. (Ways and Means)
SB 160, relative to duplicate vessel registration certificates. (Transportation)
SB 161, relative to the wellness and primary prevention council. (Executive Departments and Administration)
SB 163, relative to wholesale hospital-to-hospital laboratory and testing services. (Commerce and Consumer Affairs)
SB 181, relative to registration fees for hunter education programs of the fish and game department. (Fish and Game and Marine Resources)
SB 200-FN, relative to newborn screening for Krabbe Leukodystrophy. (Health, Human Services and Elderly Affairs)
SB 219-FN, relative to breastfeeding. (Commerce and Consumer Affairs)
SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee. (Executive Departments and Administration)

SB 258-FN, changing the timing of determination of weighted case units for the purpose of calculating the judicial branch budget request and judicial salaries. (Finance)
SB 259-FN-L, relative to place of assembly licenses. (Executive Departments and Administration)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 264 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.
Motion adopted.

INTRODUCTION OF SENATE BILL

First, second reading and referral

SB 264, relative to tipped employees. (Labor, Industrial and Rehabilitative Services)

RECESS

(Speaker Jasper in the Chair)

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:
Rep. Sanborn on the Committee on Commerce and Consumer Affairs and off the Committee on Finance.
Rep. Hess on the Committee on Finance, Division II.
Rep. Weyler appointed Vice-Chairman on the Committee on Finance, Division II.

RECESS

(Rep. Chandler in the Chair)

RESOLUTION

Rep. Andrew Christie offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 19, 45, 67, 104, 105, 112, 125, 132, 137, 148, 155, 170, 186, 187, 195, 241, 249, 252, 254, 255 and 265 and Constitutional Amendment Concurrent Resolution numbered 5 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF SENATE BILLS AND CACR

First, second reading and referral

SB 19, relative to the payment of restitution among and between co-defendants. (Judiciary)
SB 45, relative to opioid treatment agreements under workers' compensation law. (Labor, Industrial and Rehabilitative Services)
SB 67, establishing a commission to study opioid misuse in New Hampshire. (Health, Human Services and Elderly Affairs)
SB 104-FN, relative to licensure of research organizations by the pharmacy board. (Executive Departments and Administration)
SB 105, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act. (Commerce and Consumer Affairs)
SB 112, requiring the Medicaid managed care program to cover telemedicine services. (Health, Human Services and Elderly Affairs)
SB 125-FN, relative to certification and licensure for mold assessment or remediation services. (Executive Departments and Administration)
SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors. (Public Works and Highways)
SB 137, relative to cost-sharing parity for oral anti-cancer therapies. (Commerce and Consumer Affairs)

SB 148, relative to the shellfish inspection program. (Environment and Agriculture)
SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. (Commerce and Consumer Affairs)
SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules. (Science, Technology and Energy)
SB 186, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund. (Labor, Industrial and Rehabilitative Services)
SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. (Health, Human Services and Elderly Affairs)
SB 195-FN, encouraging instruction in cursive handwriting and memorization of multiplication tables. (Education)
SB 241, relative to authorization for the town of Rindge to make capital expenditures from a trust fund. (Municipal and County Government)
SB 249, relative to the Hampton and Exeter district divisions of the circuit court. (Judiciary)
SB 252, establishing a committee to study a number plate commemorating Laconia Motorcycle Week. (Transportation)
SB 254, establishing a committee to study the provision of services to the public through peer-to-peer or sharing economy businesses. (Commerce and Consumer Affairs)
SB 255, establishing a low-wage service worker task force. (Labor, Industrial and Rehabilitative Services)
SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. (Education)
CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. (Judiciary)

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 11

Wednesday, March 25, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

Almighty God, creator of all things, large and small, seen and unseen, You delight in the world You have made, and all Your creatures are precious in Your sight, but our culture encourages us to compete and to compare; to view one another as rivals instead of as companions on a common journey. Help us to remember that we were all made in Your image; that each of us is inspired by the breath of Your spirit and lit from within by Your divine light. As we work together for the good of our country, open our eyes to see Your face in one another; open our ears to the voices crying out for justice and help us to use the gifts You have given us to restore and renew the world You created. Your creative spark lives on in us; empower us to make a difference. Amen.

Representative Douglas Ley, member from Jaffrey, led the Pledge of Allegiance.

The National Anthem was sung by Rebecca Mason of Litchfield.

LEAVES OF ABSENCE

Reps. Baroody, Comtois, Gladys Johnsen, Manning, Pitre, Kris Roberts and Russell, the day, illness.
Reps. Duane Brown, Coffey, Flanders, Kolodziej, Murotake, O'Hearne, Oligny, Carol Roberts, Silva, Gregory Smith, Souza and Daniel Sullivan, the day, important business.
Reps. Francis Chase and DeLemus, the day, illness in the family.

INTRODUCTION OF GUESTS

Bobby Brockway, student at Bedford High School, Page for the day.
Colleene Brockway, mother of the Page, guest of Rep. Bartlett. Cara Clark, guest of Rep. Piper. William Roderick and Joel Weinrebe, guests of Rep. LeBreche. Scott, Karen and Lyla Davis, guests of Rep. Duarte. Ken Dassau, guest of Rep. Gallagher. Lynne Mason, mother of the singer, guest of Rep. Bates. Members of the Kennett High School Key Club, Malcom Badger, Kristina Bean, Taylor Bouchard, Kevin Brogan, Isabelle Doucett, Cian Duffy, Tessa Greenhalgh, Logan Hagerty, Molly Robert, Maianna Robinson, Sarah Smith, Frank Thompson, Jack Thompson, Liam Van Rossom, and Mae Van Rossom, guests of Reps. Chandler, Buco, Butler, Frank McCarthy and Umberger. Mary Ann Harper, David Moloney, Richard Kanoff, Betty Anders, Elisa Benincaso, Pam Schules, and Irene Jenks, guests of Rep. Emerson. Fourth graders from Lincoln Street School in Exeter, guests of Reps. Berrien, Heffron, Simpson and Francese. Members of Leadership Seacoast, guests of the House.

MOTION TO VACATE

Rep. Rowe moved that the House vacate the reference of **SB 53,** repealing the interagency coordinating council for women offenders and transferring certain members and duties to the interbranch criminal and juvenile justice council, to the Committee on Judiciary.
Motion adopted.

The Speaker referred **SB 53** to the Committee on Criminal Justice and Public Safety.

MOTION TO VACATE

Rep. Hunt moved that the House vacate the reference of **SB 202-FN,** relative to licensure of outsourcing facilities by the pharmacy board, to the Committee on Commerce and Consumer Affairs.
Motion adopted.
The Speaker referred **SB 202-FN** to the Committee on Executive Departments and Administration.

MOTION TO SUSPEND HOUSE RULES

Reps. Flanagan and Shurtleff moved that House Rules be so far suspended as to introduce and consider at the present time a House Resolution, relative to honoring the contributions of New Hampshire's youth in government, without the required printing, referral to committee, public hearing and report from committee.
Motion adopted by the necessary two-thirds vote.

HOUSE RESOLUTION NO. 13

Honoring the contributions of New Hampshire's youth in government

WHEREAS, education is the bedrock of a democracy; and
WHEREAS, fourth grade curriculum in New Hampshire has long included references to studying New Hampshire history and government which brings in excess of 30,000 students to the state house in any given school year; and
WHEREAS, fourth graders, and indeed students from varying grades around our state, have for many years been responsible for initiating legislation designating, among other things, the state dog, state amphibian, state insect, state fruit, and state vegetable; and
WHEREAS, many honorable attempts have been made at the behest of students over the years to include items such as the state color, state beverage, state fossil, and state raptor, but have fallen short in their attempts in the fullness of the legislative process; and
WHEREAS, New Hampshire supports the rights of all her citizens to be involved in the legislative process, especially and including all the students who wander the halls of the oldest, continually used state house in the nation; now, therefore, be it
RESOLVED, that the New Hampshire House of Representatives recognizes and offers it's thanks to all students who have participated or will continue to participate in the legislative process; and be it further
RESOLVED, that the New Hampshire House encourages the youth of this state to be actively involved in the important deliberations of government and never be discouraged if legislation fails, but work twice as hard in the efforts in the future.
Offered by the House of Representatives.
Adopted.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
Consent Calendar adopted.

HB 121, making a technical correction to the negligent driving statute. **OUGHT TO PASS.**
Rep. David A. Welch for Criminal Justice and Public Safety. This bill changes only a statutory reference and there is no change in penalty. The committee unanimously supports this bill. Vote 17-0.

HB 230, relative to penalties for failure to timely discharge a mortgage. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Arthur E. Barnes for Criminal Justice and Public Safety. Current state law requires that when a mortgage is paid off the lender must discharge that mortgage within 60 days. During the testimony, it was represented that the current law which has been in effect since 1905 fails to identify the party responsible to enforce the law. As amended, this bill would transfer the issue from criminal to civil law allowing the aggrieved party to seek restitution through the courts. Vote 16-0.

Amendment (0966h)

Amend RSA 479:8 as inserted by section 1 of the bill by replacing it with the following:

479:8 Penalty. Any mortgagee violating the provisions of RSA 479:7, or any mortgagee who after the satisfaction of [~~his~~] ***the*** mortgage refuses to give a sufficient discharge of such mortgage, shall [~~be guilty of a violation~~] ***be liable for damages to the mortgagor at the rate of $200 for each week after the expiration of the 60 days up to a maximum of $5,000 or in an amount equal to the loss sustained as a result of the failure of the mortgagee to execute and deliver a release, whichever is greater, plus costs and reasonable attorney fees.***

AMENDED ANALYSIS

This bill permits the mortgagor to recover damages from a mortgagee who fails to release a mortgage in a timely manner.

HB 329, relative to a construction project at the state veterans cemetery. **OUGHT TO PASS.** Rep. David J. Danielson for Finance. This bill provides the New Hampshire State Veterans Cemetery Association with the authority to design and construct an addition to the administration building at the state veterans cemetery subject to the approval of the capital budget overview committee established in RSA 17-J without the use of any state funds. It provides project oversight by mandating that the New Hampshire State Veterans Cemetery Association shall utilize a licensed independent architect or professional engineer to oversee the design and construction of this addition. This architect or professional engineer shall be selected by mutual agreement by the department of administrative services, division of public works design and construction, and the New Hampshire State Veterans Cemetery Association. Additionally, the department of administrative services, division of public works design and construction shall provide oversight of the design and construction of the building addition and the division of public works design and construction shall represent the adjutant general and the state in order to assure compliance of the plans and specifications for the project with accepted state standards for building design and construction. The building shall not be deemed completed until certified by the division of public works design and construction that the addition has been constructed in accordance with the above standards. The New Hampshire State Veterans Cemetery Association shall reimburse the division of public works design and construction for its design and construction oversight services at a cost not to exceed 4 percent of the project cost. Vote 21-0.

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration. **OUGHT TO PASS.** Rep. Laurie J. Sanborn for Finance. This bill authorizes the executive director of the fish and game department to close bivalve areas for restoration purposes. It passed the policy committee on a 13-0 vote. It came to finance for a review of the financial implications. Since there are none, the finance committee unanimously voted the bill OTP. Vote 22-0.

HB 577-FN-A-L, establishing a children's savings account program. **OUGHT TO PASS.** Rep. Joseph A. Pitre for Finance. This bill establishes the children's savings account program commission and the children's saving account (CSA). The bill allows the commission to accept gifts, grants and donations for deposit into the CSA fund. This program does not use any government funds. Vote 21-0.

REGULAR CALENDAR

HB 468-FN, requiring a warrant to obtain electronic device location information. **OUGHT TO PASS.** Rep. Len DiSesa for Criminal Justice and Public Safety. This bill regulates the use of electronic device location information and was originally referred to the ED&A committee, which passed with a motion of ought to pass with amendment, 11-1. HB 468, which is supported by the department of safety, puts the burden on a government entity - where it belongs - requiring that entity (whether it is a state, local or federal agency) to get a warrant in front of a neutral and detached magistrate before the communication device is utilized in any investigative capacity. The bill stipulates the exceptions to the warrant process depending on exigent circumstances. The criminal justice committee had consensus on the penalty stipulating a class B misdemeanor for violating this statute. Vote 14-3. Committee report adopted and ordered to third reading.

HB 645-FN, relative to the licensure and regulation of child day care agencies. **OUGHT TO PASS.** Rep. Robert R. Cushing for Criminal Justice and Public Safety. This bill establishes that anyone who operates a licensed or unlicensed child care facility where a child suffers permanent impairment to brain function, permanent paralysis, or other permanent depilatory injury as a result of that person's negligent operation shall be guilty of a class B felony. This is consistent with penalties for other negligent homicide. Vote 16-0.
Committee report adopted and ordered to third reading.

HB 215-FN, relative to school building aid grant payments. **INEXPEDIENT TO LEGISLATE.** Rep. Kenneth L. Weyler for Finance. This bill proposes keeping school construction aid at a fixed amount of $50 million for the foreseeable future. It would adjust for payments on previously-issued school construction bonds. These payments are $42.8 million in 2016 and $37 million in 2017, leaving

$21.2 million available for building aid in the next biennium. The bill also allows for this money to be used for additional bonding. Bonding is what has caused problems in the school building aid program. Bond payments for five-year old construction cost $14.4 million per year from the meals and room tax revenue. We have had over a decade of declining enrollment in our schools. The original purpose of school construction aid was to assist districts that had growing enrollments to properly house those students. With declining enrollments, this purpose no longer applies. Districts might wish to have new schools, but in the present tight fiscal situation, there are more pressing needs. Vote 20-2.
Rep. Cahill spoke against.
Rep. Weyler spoke in favor and yielded to questions.
Committee report adopted.

HB 357, relative to notice of change of name or address on a driver's license and on the registration of a vehicle. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Karen C. Umberger for the Majority of Finance. The DOT budget presented in the committee amendment to HB 357 reflects a budget that lives within our current means, without raising the road toll or registration fees. As a result, there is a stark reduction in funds available for our transportation infrastructure. It is a baseline, bare bones proposal that some may call fiscally responsible and others may call irresponsible due to layoffs and service cutbacks that may come as a result. The majority of the committee understands both sides of the argument. This effort, although extremely painful for both budget writers and state employees, has provided us with an opportunity to see what happens when the can is kicked down the road for far too long. A decade of reliance on one-time revenue sources, creative but temporary accounting solutions, as well as a decline in federal funding have lead us to our current situation. Here are the facts: the department believes that if this proposal were to become law, 400 of our valuable DOT employees may face layoffs. It would result in substantially reduced services including mowing, paving, maintenance, mechanical services, equipment, and bridge maintenance, among many other DOT functions. Under this proposal, the department would be facing a reduction in funding of $88.2 million, which represents a 42% cut in highway funds. These reductions will have a significant impact on the services our citizens, visitors, and business community have come to expect from DOT. There are no longer opportunities to employ temporary fixes to correct this disparity. Finance committee members with decades of experience have explored dozens of options. The only solution would be new or increased revenue streams into the highway fund. This would come in the form of higher registration fees and/or an increase in the road toll. However, the finance committee must work within the existing revenue framework unanimously approved by a bipartisan vote of the house ways & means committee. Despite reducing the use of highway funds to support the department of safety to the statutory level, a provision that had been suspended in past years, reductions of more than 40% are still necessary to produce a balanced DOT budget for the next biennium within the house-passed revenue estimates. The committee believes strongly in the legislative process and our ability to work collectively to find solutions to the tough problems our state faces. We must all do what we believe is in the best interests of our constituents. Through this process the house, and eventually the senate, will be able to choose a path forward. The committee chose to present this as the baseline option. This is the first step. Vote 15-11
Rep. Daniel A. Eaton for the Minority of Finance. The amendment to HB 357 will cripple and eviscerate the department of transportation (DOT). The effect of HB 357, as amended, will be a reduction of over 690 employees, almost half of the entire workforce. Fifty maintenance sheds and at least 2 district offices will be shuttered. Almost all DOT construction programs will cease as will most federal funds for projects and services due to failure of maintenance of efforts. Finally some 2500 miles of roadway and up to 1000 bridges will be left to local communities to maintain if they so choose. Of the 1000 bridges left behind, many may be subject to emergency closure. The result of HB 357 is irresponsible and unconscionable. The primary purpose of government is public safety. HB 357 abdicates that responsibility.

Majority Amendment (1015h)

This amendment was printed in its entirety in House Record No. 23, March 20, 2015 and is made part of this Journal by reference.
Rep. Kurk spoke against and yielded to questions.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 3 - NAYS 365

YEAS - 3

CARROLL

Wright, Ted

HILLSBOROUGH

Bouldin, Amanda

SULLIVAN

Bridge, Ernest

NAYS - 365

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Buco, Thomas
Butler, Edward
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Mann, John
McConnell, Jim
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn

Gidge, Kenneth
Gould, Linda
Haefner, Robert
Harvey, Suzanne
Hogan, Edith
Jeudy, Jean
Leishman, Peter
Marston, Dick
McLean, Mark
Notter, Jeanine
Ober, Lynne
Parison, James
Porter, Marjorie
Rouillard, Claire
Seidel, Carl
Smith, Timothy
Straight, Phillip
Ulery, Jordan
Wolf, Terry
Goley, Jeffrey
Goulette, William
Halstead, Carolyn
Heath, Mary
Hopper, Gary
Kurk, Neal
Long, Patrick
Martel, Andre
McNamara, Richard
O'Brien, Michael
Ober, Russell
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Shattuck, Gilman
Snow, Kendall
Sullivan, Victoria
Vann, Ivy
Woodbury, David
Gonzalez, Carlos
Griffin, Barbara
Hansberry, Daniel
Herbert, Christopher
Infantine, William
Lachance, Joseph
Mangipudi, Latha
McCarthy, Peggy
Moore, Josh
O'Brien, William
Ohm, Bill
Peterson, Ken
Rice, Kimberly
Sanborn, Laurie
Shaw, Barbara
Soucy, Timothy
Takesian, Charlene
Walsh, Robert
Zaricki, Nick
Gorman, Mary
Guerette, C. Lee
Hansen, Peter
Hinch, Richard
Jack, Martin
LeBrun, Donald
Manley, Jonathan
McClarren, Donald
Murphy, Keith
O'Neil, William
Palmer, Barry
Pierce, David
Rosenwald, Cindy
Schleien, Eric
Simmons, Tammy
Stepanek, Stephen
Twombly, Timothy
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Frazer, June
Henle, Paul
Hoell, J.R.
Kidder, David
Luneau, David
McGuire, Carol
Parent, Jason
Rogers, Katherine
Shurtleff, Stephen
Wheeler, Deborah
Bartlett, Christy
Deloge, Helen
French, Barbara
Hess, David
Horn, Werner
Kotowski, Frank
MacKay, James
McGuire, Dan
Patten, Dick
Saunderson, George
Turcotte, Alan
Bradley, Paula
Doherty, David
French, Harold
Hill, Gregory
Karrick, David
Kuch, Bill
Marple, Richard
Moffett, Howard
Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane
Brewster, Michael
Ebel, Karen
Gile, Mary
Hirsch, Geoffrey
Kenison, Linda
Long, Douglas
Martin, John
Myler, Mel
Rice, Harold (Chip)
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Berrien, Skip
Cali-Pitts, Jacqueline
Cook, Allen
DiFranco, Debbie
Emerick, J. Tracy
Friel, William
Griffin, Mary
Heffron, Frank
Itse, Daniel
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Packard, Sherman
Priestley, Anne
Schroadter, Adam
Sweeney, Joe
Thomas, Douglas
Ward, Gerald
Weyler, Kenneth
Abramson, Max
Barnes, Arthur
Borden, David
Cardon, G. Thomas
Cushing, Robert
Doucette, Fred
Ferrante, Beverly
Gannon, William
Guthrie, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Lundgren, David
McKinney, Betsy
Nigrello, Robert
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Sytek, John
True, Chris
Ward, Joanne
Woitkun, Steven
Allen, Mary
Bates, David
Bush, Carol
Chirichiello, Brian
DeSimone, Debra
Duarte, Joe
Fesh, Robert
Gordon, Pamela
Hagan, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
O'Connor, John
Peckham, Michele
Rice, Frederick
Simpson, Alexis
Tamburello, Daniel
Tucker, Pamela
Webb, James
Wood, David
Azarian, Gary
Belanger, Ronald
Cahill, Michael
Christie, Andrew
Devine, James
Elliott, Robert
Francese, Paula
Gordon, Richard
Harris, Jeffrey
Introne, Robert
Kellogg, Shem
Matthews, Carolyn
Milz, David
Osborne, Jason
Potucek, John
Sanders, Elisabeth
Spillane, James
Tasker, Kyle
Vose, Michael
Welch, David

STRAFFORD

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Gray, James	Groen, Warren
Hannon, Joseph	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Knowles, Robert	Leeman, Don	Mullen, John
Parsons, Robbie	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Verschueren, James	Wall, Janet	Ward, Kenneth
Wuelper, Kurt			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

and the majority committee amendment failed.
Motion of Ought to Pass adopted and ordered to third reading.
Rep. Wright voted Yea and intended to vote Nay.

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and requiring payment of the land use change tax when land is taken by eminent domain to build energy infrastructure. **OUGHT TO PASS.**
Rep. Susan W. Almy for Ways and Means. Although this bill came to ways and means, it deals only with local taxation, which is the sphere of the municipal and county government. That committee and the floor approved the existing language. No ways and means policy is involved. Vote 15-0.
Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 364 - NAYS 5

YEAS - 364

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	Wright, Ted	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Ley, Douglas	Mann, John	McConnell, Jim	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
O'Brien, William
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Rokas, Ted
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Hoell, J.R.
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Cook, Allen

Cushing, Robert
Doucette, Fred
Ferrante, Beverly
Gannon, William
Guthrie, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Lundgren, David
McKinney, Betsy
Nigrello, Robert
Pantelakos, Laura
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Sytek, John
True, Chris
Ward, Joanne
Woitkun, Steven
DeSimone, Debra
Duarte, Joe
Fesh, Robert
Gordon, Pamela
Hagan, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
O'Connor, John
Peckham, Michele
Rice, Frederick
Simpson, Alexis
Tamburello, Daniel
Tucker, Pamela
Webb, James
Wood, David
Devine, James
Elliott, Robert
Francese, Paula
Gordon, Richard
Harris, Jeffrey
Introne, Robert
Kellogg, Shem
Matthews, Carolyn
Milz, David
Osborne, Jason
Potucek, John
Sanders, Elisabeth
Spillane, James
Tasker, Kyle
Vose, Michael
Welch, David
DiFranco, Debbie
Emerick, J. Tracy
Friel, William
Griffin, Mary
Heffron, Frank
Itse, Daniel
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Packard, Sherman
Priestley, Anne
Schroadter, Adam
Sweeney, Joe
Thomas, Douglas
Ward, Gerald
Weyler, Kenneth

STRAFFORD

Baber, William
Bixby, Peter
DiSesa, Len
Hannon, Joseph
Kaen, Naida
Parsons, Robbie
Spang, Judith
Turcotte, Leonard
Beaudoin, Steven
Burton, Wayne
Gardner, Janice
Horrigan, Timothy
Knowles, Robert
Schmidt, Peter
Sprague, Dale
Verschueren, James
Berube, Roger
Cheney, Catherine
Gray, James
Jones, Laura
Leeman, Don
Smith, Marjorie
Stevens, Audrey
Wall, Janet
Bickford, David
Cilley, Jacalyn
Groen, Warren
Kaczynski, Jr., Thomas
Mullen, John
Southworth, Thomas
Treleaven, Susan
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
Oxenham, Lee
Cloutier, John
Grenier, James
Rollins, Skip
Converse, Larry
Irwin, Virginia
Schmidt, Andrew
Gagnon, Raymond
Laware, Thomas
Smith, Steven

NAYS - 5

HILLSBOROUGH

Barry, Richard
Griffin, Barbara

MERRIMACK

Moffett, Howard

ROCKINGHAM

Christie, Andrew

STRAFFORD

Wuelper, Kurt

and the committee report was adopted and ordered to third reading.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 1, 2015 at 10:00 a.m.

Motion adopted.

LATE SESSION

Third reading and final passage

HB 121, making a technical correction to the negligent driving statute.
HB 230, relative to penalties for failure to timely discharge a mortgage.
HB 329, relative to a construction project at the state veterans cemetery.
HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration.
HB 577-FN-A-L, establishing a children's savings account program.
HB 468-FN, requiring a warrant to obtain electronic device location information.
HB 645-FN, relative to the licensure and regulation of child day care agencies.
HB 357, relative to notice of change of name or address on a driver's license and on the registration of a vehicle.
HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and requiring payment of the land use change tax when land is taken by eminent domain to build energy infrastructure.

UNANIMOUS CONSENT

Rep. Cynthia Chase requested Unanimous Consent of the House in regards to Genocide Awareness Month and addressed the House.
Rep. Piper requested Unanimous Consent of the House regarding a thank you on HB 645-FN and addressed the House.
Rep. Frederick Rice requested Unanimous Consent of the House in regards to West Point and addressed the House.
Rep. Cushing requested Unanimous Consent of the House regarding 4th graders visiting the State House and addressed the House.
Rep. Moffett requested Unanimous Consent of the House regarding memorial remarks for the former member from Canterbury, the Honorable Bob Lockwood and addressed the House.

MOTION TO PRINT REMARKS

Rep. LeBrun moved that the remarks made by Rep. Frederick Rice be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Frederick Rice: Thank you, Mister Speaker. Last week, while most of us weren't here, a significant anniversary took place. Monday, March 16, was the 213th anniversary of the founding of the United States Military Academy at West Point. For those who are not familiar with West Point, it is the world's premier leadership development institution. Our country has depended on West Point graduates to lead it to victory in all of it's major wars, Grant and Lee in the Civil War, Pershing in the first 1st World War, Eisenhower, MacArthur and Patten in the 2nd World War, Ridgway in Korea, Westmoreland and Abrams in Vietnam and Schwarzkopf, and Petraeus in the Middle East. In addition to be a premier military institution, West Point produces leaders in many other areas as well. The CEO's of such companies that you may have heard of, such as AT&T, the Marriott Corporation, the New York Stock Exchange, General Mills, Mercedes, have all been captained at one time or another, or at present, by West Point graduates. At the present time, there is a West Pointer who is trying out for the Boston Red Sox. He's fulfilled his military obligation and he is now trying out and he has a fairly good chance, I think. We hope. In the future, three West Point graduates will be going to the International Space Station. One of them will be staying for a full year. West Point excels academically. It has produced more Rhodes Scholars than any school or university in the country, except Harvard, Princeton and Yale. It has produced more Hertz Fellowships, which is the scientific equivalent of Rhodes, than any school in the country other than Stanford, MIT and CalTech. It has produced more Rhodes and more Hertz Scholarships than the two other major service academies combined. We are very proud of that. Now, if we could only beat Navy a little bit more. How does West Point do this? They do it by starting on day one inculcating leadership traits. They introduce a concept and then reinforce it steadily over the next four years. On the first day that every freshman or plebe reports into West Point, one of the many things that they are issued that day is a small book called The Bugle Notes. In it, it is filled with military information, the history of the military, the history of the military academy, some specific information that they will use on a day to day basis. Some of it is inspirational and some of it is guidance. One of the things that is

my favorite quotation from The Bugle Notes is a brief quotation that I have had framed on the wall of my office for some forty years. It is extremely inspirational. It pertains to integrity, leadership and justice and I would like to leave you with that quotation right now. It is taken from an Address given to the Corp of Cadets in 1820 by Brevet Major William Jenkins Worth, who was then the Commandant of Cadets. It's called *The Battalion Orders*. It pertains to everyone. It especially pertains to people like us in a public body. It pertains to everyone from the political left to the political right. It pertains to everyone from the lowest to the highest ranks within our midst and it goes like this: "But an officer on duty knows no one -- to be partial is to dishonor both himself and the object of his ill-advised favor. What will be thought of him who exacts of his friends that which disgraces him? Look at him who winks at and overlooks offenses in one, which he causes to be punished in another, and contrast him with the inflexible soldier who does his duty faithfully, notwithstanding it occasionally wars with his private feelings. The conduct of one will be venerated and emulated, the other detested as a satire upon soldiership and honor." And now the final two words that are more important to Cadets, beat Navy. Thank you.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Cushing be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Cushing: Thank you, Mister Speaker. I first came to the State House with Mrs. Down's fourth-grade class from Center School in Hampton. I remember walking through that door into this chamber and I felt like I was walking into a cathedral. I felt like I was walking into a sacred space and I could have a sense like all sacred space that there were spirits here and that is was a very special place. The first time I ever spoke in this chamber, I was in high school. My cousin, Ralphie, Private First Class Ralph Norgren had come back from Vietnam in a chair with stumps instead of legs and it affected my family and made me ask a lot of questions. One thing I asked myself was, why is it that Ralphie could be sent away to fight in a foreign country but he didn't have the right to vote for the government that would make that decision about whether he would go to war? So would another number of kids in New Hampshire get together to try to ask the Legislature to lower the voting age to eighteen from twenty-one. A bill was introduced and I came to testify on that bill and I stood right here. That was before there was a legislative office building when the Legislature would hold hearings on bills and I stood before the members of the committee and I explained my position and others did too. Though, the committee did not adopt the bill that I wanted them to pass, what I remember is I was treated with respect. No one suggested that I shouldn't be here advocating for a change in the law. No one made fun of the legislation. No one mocked me. I even got, after the hearing, I even got to go up to the third floor into the office of the Speaker of the House of Representatives. A guy from a Hudson suburb, from Nashua, Speaker Cobleigh and what I remember about Speaker Cobleigh telling me is, "You know, it might not pass this time, but you know, maybe someday you'll come back if they don't do it, you can come back as a legislator and you can make the case here and vote for that. In 1984, I stood here for the first time as an elected official. I was in the Con-Con and there are some familiar faces from thirty-one years ago still in this chamber and I got to stand here with Marshall Cobleigh, which was kind of an interesting full circle for me. Last fall, I was approached about sponsoring a piece of legislation that a group of fourth-graders in Hampton Falls were interested in seeing passed. It wasn't my, I didn't think right away, I didn't run to it, but as I met with those fourth-graders, they told me they wanted to have the Red-Tail hawk become a state raptor. What got me about it was their reasoning. They said the Red-Tail hawk, it's an animal where both the male and the female participate in the raising of the young and they thought that would be a really good symbol for the state. You know, when a nine and ten-year old tells you that both parents participating in the raising of a young is a good thing and we ought to have a symbol for it, I wanted to listen. They worked hard on the legislation. These are the kids who gave up recess and lunch hour to work on their legislation. They appeared before the Environment and Agriculture Committee. They heard the bill was given a hearing and that there was a favorable vote for it. The last Session, they came here with their parents and their teacher, Mr. Cutting, and as you will recall, they were introduced as our guests and people stood up and applauded them and they were excited because they had their t-shirts on. I had gone to the school a couple of days before to tell them what was going to happen, I thought. We had a discussion about

the majority and minority report. They criticized the minority report, but I told them, just listen to the debate. I assured them, I said, "You know, the House, sometimes some people are cranky, but we are not mean." When the debate took place on HB 373, I don't think that people took as serious the legislation before them as the fourth-graders and their parents did. I don't think the debate was our finest hour. I don't think it was very elevated. To my colleagues who have a problem with the idea that we should be discussing bills like the State raptor, I want to say, nobody rode their bicycle up here, climbed up on the table at legislative services and signed off on a bill. If people have a problem with legislation, come speak to myself or any of the other sponsors of this bill because we are responsible, not fourth-graders. I think that in the aftermath, we know that there has been a fair amount of attention paid to what we did that day. After the vote, I went up and greeted or spoke to the fourth-graders and their parents and told them that it is not always like this here. That we really aren't as mean and cranky as perhaps your perception was of that day and that hang in there, we will try and bring this back and to thank them for inspiring me and inspiring a lot of other people. So, Mister Speaker, I want to stand here today and I want to apologize to the fourth-graders of Lincoln Ackerman School and their teacher and their parents and I want to apologize to every fourth-grader and every parent in the state for the reception that they were given last week during the debate on HB 373. One of the things that happened after the debate was that they rode back on the bus and a parent asked the kids if they wanted to become politicians, if they wanted to become involved in politics and they said, "No, we don't want to be mean." I want to say to those fourth-graders and to every fourth-grader, that notwithstanding how we were on that day, that we need you to become involved, that you are important to us, that you represent the future and without you we are lost and I want to thank you for inspiring us to debate the State raptor for New Hampshire.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Moffett be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Moffett: Thank you, Mister Speaker. I just want to take a moment to remember the life of a former member of this House and a singular man and in the interest of time, I have been asked not to request other members of the Merrimack County Delegation or others of you who may remember Bob Lockwood, to come down to the well. I want to talk about him for just a moment. Bob Lockwood was a singular man. He was born in Concord. He was educated at Concord High, then at UNH, and then he got his masters at Boston University. He served in the Korean War and he served proudly as a soldier's soldier and he later served as a veteran's veteran. He worked in the family business, Lockwood Young Concrete. In 1960, he moved to Canterbury after marrying the lovely Priscilla Parmenter, known to many of you as Representative Priscilla Lockwood. He worked for the Concord Monitor as a reporter and city editor and he was a newspaperman's newspaperman. He served in this House for twelve years, from 1986 to 1998, chairing the judiciary committee for part of that time. When he retired, as many of you know, he was succeeded by his wife, my former colleague, Priscilla Lockwood of Canterbury who deserves accolades in her own right, but that is for another day. Today we just want to remember Bob. He passed away on February 15 after a long career. In addition to being a soldier's soldier, a veteran's veteran, a newspaperman's newspaperman and a legislator's legislator, he was a giant in the Canterbury community. He wrote the history of the Canterbury Fair --"Always the last Saturday in July." In so many others ways, he contributed to our community in ways that it is impossible to express so I won't say more now, but I would like to ask you to stand and remember Bob Lockwood. Thank you.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Canterbury, the Honorable Bob Lockwood.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.
Motion adopted.

The House recessed at 11:10 a.m.

RECESS

(Rep. Cynthia Chase in the Chair)

SENATE MESSAGE
CONCURRENCE

HB 467-FN, relative to the 14-month registration of off highway recreational vehicles.

ENROLLED BILL AMENDMENT

HB 467-FN, relative to the 14-month registration of off highway recreational vehicles.

Amendment (1177-EBA)

Amend RSA 215-A:21, X as inserted by section 1 of the bill by replacing line 2 with the following: include the months of May and June for [~~an initial~~] ***a*** registration of an OHRV under RSA 215-A:23, Motion adopted.

RECESS

(Rep. Packard in the Chair)

RESOLUTION

Rep. Potucek offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 7, 29, 30, 31, 48, 57, 58, 64, 72, 111, 114, 135, 136, 144, 145, 153, 157, 159, 167, 169, 179, 188, 189, 190, 191, 203, 314, 214, 216, 221, 227, 232, 234, 235, 238, 240, 242, 243, 244, 248, 251 and 266 and Senate Concurrent Resolutions numbered 1 and 2 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.
Motion adopted.

INTRODUCTION OF SENATE BILLS AND SCRS

First, second reading and referral

SB 7, adding duties to the joint health care reform oversight committee. (Health, Human Services and Elderly Affairs)
SB 29-FN, relative to fines for motor vehicle offenses. (Transportation)
SB 30-FN-L, permitting counties with unincorporated areas to establish tax increment financing districts. (Municipal and County Government)
SB 31, relative to the controlled drug prescription health and safety program. (Health, Human Services and Elderly Affairs)
SB 48, relative to the New Hampshire commission on Native American affairs. (Executive Departments and Administration)
SB 57, relative to qualifications and duties of condominium association board members. (Commerce and Consumer Affairs)
SB 58, relative to the United States flag worn as a patch. (Executive Departments and Administration)
SB 64, relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. (Health, Human Services and Elderly Affairs)
SB 72, relative to confidentiality of police personnel files and establishing a commission to study the use of police personnel files as they relate to the Laurie List. (Criminal Justice and Public Safety)
SB 111, making changes to the life and health insurance guaranty association. (Commerce and Consumer Affairs)
SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder. (Transportation)
SB 135-FN, relative to lead poisoning in children. (Health, Human Services and Elderly Affairs)
SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court. (Legislative Administration)
SB 144, relative to carry-over cover-all bingo. (Ways and Means)
SB 145, relative to wine consumed at cocktail lounges. (Commerce and Consumer Affairs)
SB 153, relative to the accessibility of criminal records. (Criminal Justice and Public Safety)

SB 157-FN, relative to encouraging high school students to take and pass a United States citizenship test. (Education)
SB 159, reinstating the division for children, youth and families advisory board. (Children and Family Law)
SB 167, relative to filing of small claims. (Judiciary)
SB 169, relative to permissible uses of electronic benefit transfer (EBT) cards. (Health, Human Services and Elderly Affairs)
SB 179, relative to eligibility to vote. (Election Law)
SB 188-FN, revising banking, credit union, and trust laws. (Commerce and Consumer Affairs)
SB 189, relative to liquor manufacturers. (Commerce and Consumer Affairs)
SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education. (Education)
SB 191-FN, relative to use of the state's procurement card services. (Executive Departments and Administration)
SB 203-FN, relative to review of eligibility for workers' compensation. (Labor, Industrial and Rehabilitative Services)
SB 213-FN-A-L, establishing a committee to study the formula for distribution of meals and rooms tax revenues. (Ways and Means)
SB 214-FN, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital. (Health, Human Services and Elderly Affairs)
SB 216-FN, relative to sales of alcoholic beverages by manufacturers. (Commerce and Consumer Affairs)
SB 221-FN, relative to electric rate reduction financing. (Science, Technology and Energy)
SB 227, relative to calculating the cost of an adequate education. (Education)
SB 232-FN-A, exempting certain leases from the real estate transfer tax. (Ways and Means)
SB 234, establishing a committee to study the use of law enforcement details and flaggers for traffic control on municipally maintained roads. (Transportation)
SB 235, relative to the condominium act and the land sales full disclosure act. (Municipal and County Government)
SB 238-FN, relative to the workers' compensation appeals board. (Labor, Industrial and Rehabilitative Services)
SB 240, protecting certified public accountants from prosecution or penalty for providing services to alternative treatment centers. (Judiciary)
SB 242-L, relative to amending the budget in towns that have adopted official ballot voting. (Municipal and County Government)
SB 243, relative to nonpublic sessions under the right-to-know law. (Judiciary)
SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities. (Children and Family Law)
SB 248, establishing a committee to study health care provider payment rates. (Health, Human Services and Elderly Affairs)
SB 251, relative to regulations for commercial composters. (Environment and Agriculture)
SB 266-FN, adopting the Uniform Securities Act. (Commerce and Consumer Affairs)
SCR 1, recognizing the contribution of Bhutanese refugees to New Hampshire, and requesting the United States government to work diligently on resolving the Bhutanese refugee crisis, reaching an agreement to allow the option of repatriation, and promoting human rights and democracy in Bhutan. (State-Federal Relations and Veterans Affairs)
SCR 2, urging Congress to discontinue foreign aid to Argentina until financial disputes are resolved. (State-Federal Relations and Veterans Affairs)

RECESS

(Speaker Jasper in the Chair)

Rep. Packard moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 12

Wednesday, April 1, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Reverend Susan Grant Rosen from Charlestown Congregational Church.
Gracious God, we don't need to invite You into the room, because You are already here. We thank You for Your presence with us today. You lead us to what is true and good, so that the human community may come to reflect Your loving order. Bless the work of this people's House. Inspire those who labor in it with Your wisdom and justice. Grant them enthusiasm and joy in their work; kindness and forbearance in their relations with each other, and at the end of the day, fulfillment rather than fatigue. As they work to advance the common good, guide them in making decisions that are just. Make them especially attentive to the needs of the poor, the sick, the aged and all who struggle with little hope, for these are the focus of Your own special concern and care. May the work of this House mirror Your compassion, and foster an excellent quality of life for all in our state, so that all citizens may be grateful and You may be glorified. We ask this in Your Holy name. Amen.

Representative Edith Hogan, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by Ruth Barron, a student at Kingswood Middle School in Wolfeboro.

LEAVES OF ABSENCE

Reps. Baroody, Comtois, Gladys Johnsen, Parsons, Rokas, Russell and Sanders, the day, illness.
Reps. Flanders, Friel, Jeffrey Shackett and Takesian, the day, important business.
Reps. Francis Chase and DeLemus, the day, illness in the family.

INTRODUCTION OF GUESTS

Emma Williams and Dylan Barlow, students at Bishop Guertin High School, Pages for the day.

David Ward, Sherry Thompson, and Anna Greenlaw, husband and guests of Rep. JoAnne Ward. Joel Weinrebe, guest of Rep. LeBreche. Lisa Casanova-DiFranco, daughter-in-law of Rep. DiFranco. Ruth Pierce, wife of Rep. Pierce. Melissa Donovan-Madden and Michael Keefe, guests of Rep. Donovan. Members of the National Day of Prayer Board/Prayer Strike New Hampshire and Associates, guests of Rep. Cook. Roy and Karen Barron, Geri Andrea, and Kristy Verrill, parents of the singer, guests of Reps. Avellani, Comeau and Nelson. Fourth graders from Groveton Elementary School, guests of Reps. Moynihan and Rideout. Fourth graders from Strafford Elementary School, guests of Reps. Fothergill and Rappaport.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
Consent Calendar adopted.

SB 264, relative to tipped employees. **OUGHT TO PASS WITH AMENDMENT.**
Rep. William J. Infantine for Labor, Industrial and Rehabilitative Services. This bill adds the term "Ballroom" as defined by the New Hampshire liquor commission to the tipping law which will allow ballrooms to pay the subminimum wage plus tips like all other restaurants and bars. There are only two ballrooms as defined by the New Hampshire liquor commission in the state. This issue came to light after a New Hampshire department of labor audit and all parties agreed that this type of establishment should always have been included in the law from when it was originally passed. The New Hampshire department of labor supports this legislation. The labor committee is always wary of passing legislation for one or even a few businesses as a standard practice. This is a rare case where the committee felt a change was necessary to fix an unintended omission to a long existing law. This omission went unnoticed until this audit was performed and a strict interpretation of the existing law was applied. Vote 19-0.

Amendment (1116h)

Amend RSA 279:1, XVI as inserted by section 2 of the bill by replacing it with the following:

XVI. "Ballroom" means an indoor facility which has seating accommodations for at least 500 patrons, provides live entertainment, and is licensed by the New Hampshire liquor commission.

REGULAR CALENDAR

HB 25-FN-A, making appropriations for capital improvements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gene G. Chandler for Public Works and Highways. The treasurer indicated to the committee that a $130 million capital budget would be about the maximum we should have this biennium, and reduce the next biennium to $125 million and the following to $120 million. The committee chose to be prudent and jump right to the next biennium's level, which we have done. As is usual, the capital budget is really an economic engine for the state as there are many projects statewide which not only improve the state's infrastructure but also provide many jobs, a better experience for our citizens and our visitors. The following are major items in the capital budget: The adjutant general will receive funds for the columbarium expansion at the veterans' cemetery as well as other building and repair projects. The department of administrative services has a number of roofing projects, safety code issues, restroom upgrades and ADA improvements. Funds for upgrades and improvements at the state house, in order to put on a good face for our upcoming celebration of the 200th anniversary of the state house. Also included is money to complete the repairs to the state house dome which is in very poor condition. Funding of $16,600,000 is included for a new Merrimack County courthouse to be located on Hazen Drive or elsewhere in Concord if a suitable site can be found in time to start this project in a timely fashion. The community college system will receive $14,200,000 for a number of projects and the University System is scheduled to receive 5 million dollars for system-wide deferred maintenance. The New Hampshire State Prison for Women project will receive an additional 12.6 million dollars. Preliminary bids were way in excess of the $38 million included in the last capital budget and we have been assured that with this $12.6 million a new design and women's prison can be completed. We have added language which says the new design must incorporate changes to minimize staffing and other costs once completed. A new design will not only save construction money but long term operation costs. The committee approved two career and technical education (CTE) projects; one in Dover and one in Somersworth, totaling $7,900,000 in state funds. Local funds provide a 25% match. The department of environmental services is on tap to receive funding for a number of dam reconstructions, hazardous waste superfund match; drinking water and clean water facility funds to help our communities. Additionally, $1.8 million is allocated for infrastructure improvements in the Suncook River to prevent the loss of the state owned bridge spanning the river. Health and human services is scheduled to receive funding for a potable water system at the Glencliff Home as well as other much needed life safety upgrades at Glencliff. Department of information technology will be getting funds to upgrade cyber security as well as expansion of the virtual server environment and enterprise collaboration solution. The judicial branch e-court system has proven to be very successful in saving time and expenses, not only for the judicial system but citizens as well, and will receive continued funding to the tune of 1.6 million dollars. The liquor commission will receive new funding from the liquor commission fund (RSA 176:16) for 3 new projects; replacing the leaking Concord warehouse roof, in-store security systems and a new consumer internet ordering site. In addition to these projects, liquor funds that were approved in the last capital budget for construction of 3 new retail stores in Salem, Epping and Warner became available due to the commission's decision to lease sites rather than build new stores. This money is now being used to complete the renovation of the Concord Storrs Street former retail location to office space and consolidate the agency in one location, to supplement the Concord warehouse roof replacement project, to start plans for layout and design of the Portsmouth Traffic Circle Store, to implement consistent signage at all locations statewide, and most significantly, to supplement the prior capital budget appropriation to upgrade the outdated point of sale software and hardware in 78 stores and back offices to be PCI (Payment Card Industry) compliant. The Piscataqua River Turning Basin project is a very vital project for the state and the Pease Development Authority in order to be able to turn the new size vessels that will be able to go up-river as soon as the new bridge is complete. The total project is $19 plus million and we are receiving almost $14 million in federal funds to

complete it. In past capital budgets the committee has tried to catch up on needed projects for our state parks so accordingly, the department of resources and economic development will receive funding for a number of statewide roofing projects, parking lot improvements and restoration and bathroom projects. The department of safety will receive funding for a number of safety related items including the radio interoperability project. The committee worked very hard to ensure that any highway funds used to fund items for the department of safety are appropriate. We include planning and design money for a very necessary addition to the state archives building to enable the proper storage of not only our historic documents but other necessary documents. The veterans' home got the okay for $13,550 million for a third floor addition to provide rooms and care of dementia patients at the home - $8.8 million in federal funds will be utilized to complete this much needed and worthy project for our veterans. The department of transportation has a number of projects including mandatory underground fuel tank replacements, salt and patrol sheds and a new system for processing oversize and overweight permits and welcome and information center improvements. As proposed, this budget authorizes $124,817,373 in general fund spending down from $134,544,611 as originally submitted. Additionally, we take advantage of $118,394,100 in federal funds. The committee unanimously approved HB 25 as amended. Vote 18-0.

Amendment (1121h)

Amend the bill by replacing all after the enacting clause with the following:

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

I. Adjutant General	
A. Columbarium Expansion	$1,495,000
Less Federal Funds	-1,495,000
Net state appropriation subparagraph A	0
B. Construction of FMS - Southern NH	10,600,000
Less Federal Funds	-10,600,000
Net state appropriation subparagraph B	0
C. Construction of FMS - Seacoast Area	9,400,000
Less Federal Funds	-9,400,000
Net state appropriation subparagraph C	0
D. Readiness Center Design	1,200,000
Less Federal Funds	-1,200,000
Net state appropriation subparagraph D	0
E. Health and Safety Army Facility on Federal Property	1,000,000
Less Federal Funds	-500,000
Net state appropriation subparagraph	500,000
Total state appropriation paragraph I	$500,000
II. Department of Administrative Services	
A. Statewide Projects	
1. All State Owned Facilities - Emergency Repairs	$1,000,000
2. Statewide Energy Efficiency Improvements	500,000
B. General Services	
1. Hills Ave. - New Roof	775,000
2. Monadnock Mill - Wall Repair	195,000
3. Health and Human Services - New Lab Floor	110,000
4. Department of Justice - New Roof	545,000
5. Monadnock Mill - Elevator Upgrade	210,000
6. Materials and Research - HVAC Upgrades	380,000
7. All Buildings - Burglar Alarm Replacement	215,000
8. State House Repairs	1,350,000
9. State House Dome	1,343,058
10. State Library - Repair Parapet and Ceiling	280,000
11. Department of Justice and Philbrook - Elevator code issues	120,000
C. Facilities and Asset Management	
1. Brown Building - Roof Replacement	905,000
2. Dolloff Building - ADA Restrooms and Entryway	505,000

D. Court Facilities	
1. Merrimack County Superior Court - New Courthouse*	16,600,000

*The primary location for the siting of the facility shall be in Concord on state lands adjacent to the supreme court. If an alternative location is deemed necessary, the siting for the facility shall be subject to prior approval of the capital budget overview committee.

Total state appropriation paragraph II	$25,033,058
III. Community College System of New Hampshire	
A. Critical Maintenance	$4,000,000
B. IT Infrastructure	2,800,000
C. HVAC Electrical Technology	7,000,000
D. Phase II, IT STEM Lab in Claremont	400,000
Total state appropriation paragraph III	$14,200,000
IV. Department of Corrections	
A. New Women's Prison – Addendum*	$12,600,000
B. Replace Roof in Warehouse, Gym, Autoshop and Outside	1,855,000
Total state appropriation paragraph IV	$14,455,000

*The prison shall be designed in a manner which provides the best economical approach to maintaining and operating the facility.

V. Department of Education	
A. Renovation of CTE Center – Dover*	$3,025,000
B. Renovation of CTE Center – Somersworth*	4,875,000
Total state appropriation paragraph V	$7,900,000

*The funds appropriated to the department of education in subparagraphs A and B for CTE centers in Dover and Somersworth shall not be spent, obligated, or encumbered until such time as an action plan has received approval from the capital budget overview committee.

VI. Department of Environmental Services	
A. Dam Repairs and Reconstruction	$2,975,000
B. Hazardous Waste Superfund State Match	500,000
C. Suncook River Infrastructure Protection Project	1,800,000
D. Rehabilitation of Natural Resources Conservation	
Service Flood Control Dams	7,200,000
Less Federal Funds	-5,100,000
Net state appropriation subparagraph D	2,100,000
E. Permitting, Environmental Monitoring and Flood Forecasting	1,000,000
F. Drinking Water SRF Matching Funds	2,978,212
G. Clean Water SRF State Match Funds	5,403,400
Less Other Funds*	-2,701,700
Net state appropriation subparagraph G	2,701,700
Total state appropriation paragraph VI	$14,054,912

*To provide funds for the appropriation made in subparagraph VI, G, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $2,701,700 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraph VI, G shall be made from the state water pollution control and drinking water revolving loan funds established in RSA 486:14.

VII. Department of Health and Human Services	
A. Glencliff Home Potable Water System	$1,350,000
B. Campus Security Glencliff	425,000
C. New Hampshire Hospital; New Patient Unit Furniture	557,223
D. Main Access Tunnel Repair	525,000
E. Replace Roof Over Auditorium at Howard Rec.	230,000
F. SYSC Administration Building - Restroom Upgrades	120,000
G. Chillers and Associated Components Replacement	2,800,000
H. Child Support Systems Maintenance and Enhancement	7,100,000
Less Federal Funds	-4,686,000
Net state appropriation subparagraph H	2,414,000

I. New HEIGHTS Access Front Door	11,000,000
Less Federal Funds	-6,600,000
Net state appropriation subparagraph	4,400,000
J. Department Email Project	500,000
Less Federal Funds	-200,000
Net state appropriation subparagraph J	300,000
Total state appropriation paragraph VII	$13,121,223
VIII. Department of Information Technology*	
A. Enterprise Projects including Cyber Security, Upgrades, and Inter-agency Coordination	$1,000,000
B. Expansion of Virtual Server Environment	2,034,320
C. Enterprise Collaboration Solution	650,000
Total state appropriation paragraph VIII	$3,684,320

*The bonds issued for the projects in paragraph VIII shall not exceed 10 year maturity dates.

IX. Judicial Branch	
A. New Hampshire e-Court	$1,261,628
Total state appropriation paragraph IX	$1,261,628
X. Liquor Commission	
A. Concord Warehouse Roof Replacement	$1,715,000
Less Other Funds*	-1,715,000
Net state appropriation subparagraph A	0
B. In-store Management Systems Refresh/Surveillance System	2,800,000
Less Other Funds	-2,800,000
Net state appropriation subparagraph B	0
C. Consumer Internet Ordering Site	125,000
Less Other Funds*	-125,000
Net state appropriation subparagraph C	0
Total state appropriation paragraph X	$0

*To provide funds for the appropriations made in paragraph X, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $4,640,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

XI. Pease Development Authority	
A. Piscataqua River Turning Basin	$19,254,700
Less Federal Funds	-13,899,200
Less Other Funds*	-285,550
Net state appropriation subparagraph A	5,069,950

*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $285,550 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from fees relating to wharfage, dockage, and other marine terminal operations under RSA 12-G:42.

Total state appropriation paragraph XI	$5,069,950
XII. Department of Resources and Economic Development	
A. Roofing and Repairs	$1,185,000
B. Fire Tower Repairs – Statewide	290,000
C. Toilet Building Renovation and Repair	2,000,000
D. Restoration at Historic Site	250,000
E. Franconia Notch State Park- Flume Visitor's Center Renovations	250,000
F. North Country Resource Center Improvements	200,000
G. Flume Parking Lot	600,000
H. Echo Lake Parking	120,000
Total state appropriation paragraph XII	$4,895,000

XIII. Department of Safety	
A Laconia PSAP/Data Operations Facility Roofing	$275,000
Less Other Funds*	-275,000
Net state appropriation subparagraph A	0
B. Helicopter FLIR and ADS-B Replacement (general funds)	1,098,000
C. Aircraft Rescue Firefighting Site Upgrades	425,000
Less Other Funds**	-425,000
Net state appropriation subparagraph C	0
D. Fire Pumper Replacement	400,000
Less Other Funds**	-400,000
Net state appropriation subparagraph D	0
E. Radio Interoperability Project	1,660,159
F. Division of Motor Vehicles-Replace Carpet	87,000
Total state appropriation paragraph XIII	$2,845,159

*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $275,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the enhanced 911 system fund established in RSA 106-H:9, I.

**To provide funds for the appropriations made in subparagraphs C and D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $825,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

XIV. Department of State	
A. State Archives Addition Planning and Design	$250,000
Total state appropriation paragraph XIV	$250,000
XV. Transportation	
A. Transportation- Aeronautics, Rail and Transit	
1. 5 Percent Match for Federal Aviation Administration Project	$59,502,387
Less Federal Funds	-55,906,400
Net state appropriation subparagraph A	3,595,987
2. Repairs to State-owned Railroad Bridges	1,350,000
3. Public Transit Bus and Facility Matching Funds	1,358,636
4. Coos County Rail Improvements*	1,500,000
Total state appropriation paragraph XV	$7,804,623

*The sum appropriated in subparagraph A, 4 shall be a match to private funds of an equal amount.

XVI. Veterans Home	
A. Third Floor Addition to the LEDU Building-Vets Home	$13,550,000
Less Federal Funds	-8,807,500
Net state appropriation subparagraph A	4,742,500
Total state appropriation paragraph XVI	$4,742,500
Total state appropriation section 1	$119,817,373

2 Appropriation; Highway Fund. Department of Safety and Department of Transportation. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Safety	
A. Helicopter FLIR and ADS-B Replacement (highway funds)	$122,000
B. Troop A HVAC and Remodel and Troop E HVAC	650,000
C Radio Interoperability Project	3,320,317
Total state appropriation paragraph I	$4,092,317
II. Department of Transportation	
A. Underground Fuel Tank Replacement - Statewide	$1,310,000
B. Oversize/Overweight Permit Software	2,000,000
C. New Patrol Shed 114 Lisbon	270,000
D. 602 Strafford Patrol Shed	1,770,000
E. Statewide Salt Sheds (3)	1,660,000

F. Welcome and Information Center Capital Improvement	760,000
G. Morton Building - Carpet Replacement	200,000
Total state appropriation paragraph II	$7,970,000
Total state appropriation section 2	$12,062,317

3 Capital Appropriation; University System of New Hampshire. The sums hereinafter detailed are appropriated for the projects specified:

A. Deferred Maintenance	$5,000,000
Total state appropriation section 3	$5,000,000

4 Expenditures; General. The appropriations made for the purpose mentioned in sections 1 and 2 of this act, with the exception of appropriations in paragraph III of section 1, and the sums available for those projects, shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

5 Expenditures; Community College System of New Hampshire.

I. The appropriations made for the community college system in paragraph III of section 1 and the sums available for these projects shall be expended by the trustees of the community college system of New Hampshire.

II. The appropriations made to the community college system in paragraph III of section 1 are available for all costs incidental to the completion of the projects enumerated including but not limited to the costs of the services for architects, engineers, and other consultants of such kind and capacity as the community college system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These monies shall be spent under the direction of the community college system board of trustees and pursuant to policies adopted by the board of trustees.

III. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of federal law and regulations.

6 Expenditures; University System of New Hampshire.

I. The appropriations made for the university system in section 3 and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire. All contracts for the construction of all or any part of said building or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least once in each 2 consecutive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought with the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than 30 days prior to the date the bids will be received. All conditions considered, wherever possible, it is recommended that the services of New Hampshire architectural and construction firms be considered within the discretion of the trustees.

II. The appropriations made to the university system in section 3 are available for all costs incidental to the completion of the projects enumerated including the costs of the services or architects, engineers, and other consultants of such kind and capacity as the university system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These monies shall be spent under the direction of the university system board of trustees.

III. If, in the judgment of the trustees of the university system, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder, or, if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

IV. The board of trustees of the university system has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the 3 lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction on terms considered most advantageous to the university system and to the state. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

7 Land Acquisition. Any land acquired under the appropriations made in section 1 and 2 of this act, if any, as may be acquired under the appropriation shall be purchased by the commissioner of the department of administrative services or the commissioner of the department of transportation with the approval of governor and council.

8 Bond Authorized. To provide funds for the total of the appropriations of state funds made in sections 1-3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $145,606,940 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds are as follows: general fund $124,817,373, highway funds $12,062,317, and other funds $8,727,250.

9 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 3 shall be made when due from the general fund of the state.

II. The payment of principal and interest on bonds issued for the projects in section 2 of this act shall be made from the highway fund.

10 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal funds which are, or become available for any project under sections 1 and 2 beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 8 shall be reduced by the same amount.

11 Transfers. The individual project appropriations provided in sections 1 and 2 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by governor and council, to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget overview committee is obtained.

12 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1 and 2 is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 7 shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

13 Bureau of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance. The appropriations for those projects which are managed by the bureau of public works design and construction, department of administrative services, may be expended to fund temporary personnel for the purpose of providing construction inspection services and Davis-Bacon Act Compliance services for projects utilizing federal funds, for those projects included in this act.

14 Capital Appropriations Amended; 2013; Liquor Commission. Amend 2013, 195:1, XII to read as follows:

XII. Liquor Commission	
A. New Salem Retail Store	[~~$5,400,000~~] ***$263,182***
Less Other Funds *	[~~-5,400,000~~] ***-263,182***
Net state appropriation subparagraph A	0
B. Hampton North and South Renovations	6,380,000
Less Other Funds *	-6,380,000
Net state appropriation subparagraph B	0
C. New Epping Retail Store	[~~3,850,000~~] ***2,450,000***
Less Other Funds *	[~~-3,850,000~~] ***-2,450,000***
Net state appropriation subparagraph C	0
D. [~~New Warner Retail Store~~] ***Renovate Warehouse for Enforcement and Maintenance***	[~~3,500,000~~] ***2,000,000***
Less Other Funds *	[~~-3,500,000~~] ***-2,000,000***
Net state appropriation subparagraph D	0
E. Renovate Space from Retail to Office	[~~780,000~~]***1,180,000***
Less Other Funds *	[~~-780,000~~] ***-1,180,000***
Net state appropriation subparagraph E	0

F. Nashua Retail Store. Parking Lot	80,000
Less Other Funds *	-80,000
Net state appropriation subparagraph F	0
G. Computer Software-Credit Card	[~~10,000,000~~] ***15,136,818***
Less Other Funds *	[~~-10,000,000~~] ***-15,136,818***
Net state appropriation subparagraph G	0
H. Portsmouth Traffic Circle, Store #38, Plans, Layout and Design	***1,000,000***
Less Other Funds*	***-1,000,000***
Net state appropriation paragraph H	***0***
I. Concord Warehouse Roof Replacement	***500,000***
Less Other Funds*	***-500,000***
Net state appropriation paragraph I	***0***
J. Signage and Branding Upgrade	***1,000,000***
Less Other Funds*	***-1,000,000***
Net state appropriation paragraph J	***0***
Total state appropriation paragraph XII	$0

*To provide funds for the appropriations made in paragraph XII, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of $29,990,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

15 2013 Capital Budget; Department of Correction; Women's Prison and Transitional Housing Facility. Amend 2013, 195:1, IV, footnote following the total state appropriation paragraph IV, to read as follows:

*The project in subparagraph IV, A [~~shall~~] ***may*** utilize the construction management method of contracting. The design for the project shall be submitted [~~no later than April 1, 2014~~] to the capital budget overview committee for approval and shall include sufficient acreage for possible expansion to 350 beds for future needs. The primary location for the siting of the facility shall be in Concord on state lands adjacent to the men's prison. If an alternative location is deemed necessary, the siting for the facility shall be subject to prior approval of the capital budget overview committee. The department shall report quarterly to the capital budget overview committee on the status of the project.

16 2013 Capital Budget; Department of Transportation; Project Purpose Amended; Coos County Rail. Amend 2013, 195:1, XVI, A, 3 to read as follows:

3. [~~Freight Rail – State Matching Funds~~] ***Coos County Rail Improvements – Equal Match to Private Funds***	600,000

17 Repeal; Isles of Shoals Memorial Commission. 2013, 195:45, establishing the commission for the Isles of Shoals memorial, is repealed.

18 Lapse Dates Extended to June 30, 2017. The following appropriations are hereby extended to June 30, 2017.

1. The appropriation made to the adjutant general in 2013, 195:1, I, A for unspecified minor military construction.

2. The appropriation made to the adjutant general in 2013, 195:1, I, B for land acquisition.

3. The appropriation made to the adjutant general in 2013, 195:1, I, D for federal property conv to readiness center and maintenance shop.

4. The appropriation made to the adjutant general in 2013, 195:1, I, E for Manchester field maintenance shop design.

5. The appropriation made to the adjutant general in 2013, 195:1, I, F for columbarium expansion.

6. The appropriation made to the adjutant general in 2013, 195:1, I, H for veterans' cemetery archeological study.

7. The appropriation made to the adjutant general in 2007, 264:1, I, F extended by 2009, 145:19, 9 extended by 2011, 253:28, 11 extended by 2013 195:47, 5 for regional training institute construction.

8. The appropriation made to the department of administrative services in 2013, 195:1, II, A, 1 for emergency repairs all state owned facilities.

9. The appropriation made to the department of administrative services in 2013, 195:1, II, A, 2 for statewide energy efficiency improvements.

10. The appropriation made to the department of administrative services in 2013, 195:1, II, B, 4 for state house dome repair.

11. The appropriation made to the department of administrative services in 2013, 195:1, II, B, 5 for state house annex replace roof.

12. The appropriation made to the department of administrative services in 2013, 195:1, II, C, 3 for main building asbestos abatement/lead paint control.

13. The appropriation made to the department of administrative services in 2013, 195:1, II, C, 4 for main building window replacement Phase 1.

14. The appropriation made to the department of administrative services in 2013, 195:1, II, D, 3 for Rockingham county superior court - replace roof.

15. The appropriation made to the department of administrative services in 2013, 195:1, II, D, 5 for Manchester circuit courthouse install generator.

16. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 4 extended by 2013 195:47, 9 for main building kitchen roof repair.

17. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 5 extended by 2013 195:47, 10 for lakes region facility roof repair.

18. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 extended by 2013 195:47, 13 for critical IT infrastructure.

19. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 extended by 2013 195:47, 14 for ERP phase 2 HR and payroll systems.

20. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 1 extended by 2013 195:47, 15 for emergency repairs-all facilities.

21. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 5 extended by 2013 195:47, 17 for state house dome renovation and repair.

22. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 6 extended by 2013 195:47, 18 for DHHS window repairs.

23. The appropriation made to the department of administrative services in 2009, 145:1, II, A, 2 extended by 2011, 253:28, 13 extended by 2013 195:47, 22 for master plan for the courts.

24. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 3 extended by 2011, 253:28, 21 as amended by 2013, 195:14 and extended by 2013 195:47, 23 for main building bakery, kitchen, connector, and industrial shop - raze buildings and create parking lot.

25. The appropriation made to the community college system in 2013, 195:1, XVIII, A for lump sum for capital projects.

26. The appropriation made to the community college system in 2011, 253:1, XVI, B extended by 2013, 195:47, 30 for career/tech building.

27. The appropriation made to the community college system in 2009, 145:1, III, E as extended by 2011, 253:28, 35 extended by 2013, 195:47, 32 for health science and tech building, Nashua.

28. The appropriation made to the community college system in 2008 special session, 1:1, I for Pease campus renovation.

29. The appropriation made to the department of corrections in 2013, 195:1, IV, A, as amended by this act, for 224 beds women's prison and transitional housing facility.

30. The appropriation made to the department of corrections in 2013, 195:1, IV, C for electronic medical records system.

31. The appropriation made to the department of corrections in 2009, 145:1, IV, C as amended by 2013, 195:25, C, 2 for steam lines and injector at men's prison.

32. The appropriation made to the department of corrections in 2009, 145:1, IV, A extended by 2011, 253:28, 36 extended by 2013 195:47, 33 for women's prison and transitional housing site/design.

33. The appropriation made to the department of corrections in 2009, 145:1, IV, D extended by 2011, 253:28, 39 extended by 2013 195:47, 35 for admin east wing-upgrade electric wiring.

34. The appropriation made to the department of corrections in 2007, 264:1, V, A extended by 2009, 145:19, 23 extended by 2011, 253:28, 43 extended by 2013 195:47, 36 for electronic security upgrades-men's prison.

35. The appropriation made to the department of education in 2013, 195:1, V, A, as amended by 2014, 237:2, for renovation of CTE center Dover-state share.

36. The appropriation made to the department of education in 2013, 195:1, V, B, as amended by 2014, 237:2, for renovation of CTE center Salem-state share.

37. The appropriation made to the department of education in 2011, 253:1, IV, A for extended by 2013 195:47, 38 pre-engineering tech career pathway.

38. The appropriation made to the department of education in 2011, 253:1, IV, B extended by 2013 195:47, 39 for CTE center renovation-Pinkerton.

39. The appropriation made to the department of education in 2009, 145:1, V, A extended by 2011, 253:28, 46 extended by 2013 195:47, 41 for pre-engineering technology.

40. The appropriation made to the department of employment security in 2011, 253:1, V, A extended by 2013 195:47, 42 for Tobey building renovation and garage construction.

41. The appropriation made to the department of environmental services in 2013, 195:1, VI, A for dam repairs and reconstruction.

42. The appropriation made to the department of environmental services in 2013, 195:1, VI, B drinking water SRF matching funds.

43. The appropriation made to the department of environmental services in 2013, 195:1, VI, C for clean water SRF matching funds.

44. The appropriation made to the department of environmental services in 2013, 195:1, VI, D for flood warning and operations improvements.

45. The appropriation made to the department of environmental services in 2011, 253:1, VI, A extended by 2013 195:47, 43 for clean water state revolving fund loan program.

46. The appropriation made to the department of environmental services in 2011, 253:1, VI, B extended by 2013 195:47, 44 for drinking water state revolving fund state match.

47. The appropriation made to the department of environmental services in 2011, 253:1, VI, C extended by 2013 195:47, 45 for dam repairs and reconstruction.

48. The appropriation made to the department of environmental services in 2011, 253:1, VI, E extended by 2013 195:47, 47 for WRBP infrastructure capital improvements.

49. The appropriation made to the department of environmental services in 2011, 253:1, VI, F extended by 2013 195:47, 48 for Suncook river infrastructure protection project.

50. The appropriation made to the department of environmental services in 2009, 145:1, VI, A extended by 2011, 253:28, 50 extended by 2013 195:47, 49 for WRBP wastewater treatment plant improvements.

51. The appropriation made to the department of environmental services in 2003, 240:1, V, A extended by 2005, 259:25, XXVIII extended by 2007, 264:29, XXXV extended by 2009, 145:19, 31 extended by 2011, 253:28, 53 and extended by 2013, 195:47, 54 for hazardous waste superfund match.

52. The appropriation made to the department of health and human services in 2013, 195:1, VII, A for Glencliff fire and ADA code compliance.

53. The appropriation made to the department of health and human services in 2013, 195:1, VII, B for APS security and safety upgrades.

54. The appropriation made to the department of health and human services in 2013, 195:1, VII, C for Glencliff residential building security.

55. The appropriation made to the department of health and human services in 2013, 195:1, VII, D for Glencliff hydro dam repair.

56. The appropriation made to the department of health and human services in 2013, 195:1, VII, E for New Heights incremental modernization.

57. The appropriation made to the department of health and human services in 2013, 195:1, VII, F for child support systems maintenance and enhancement.

58. The appropriation made to the department of health and human services in 2013, 195:1, VII, G for food protection data system.

59. The appropriation made to the department of health and human services in 2013, 195:1, VII, H for psychiatric crisis beds.

60. The appropriation made to the department of health and human services in 2013, 195:1, VII, I for bridges modernization project.

61. The appropriation made to the department of health and human services in 2011, 253:1, VII, D extended by 2013 195:47, 60 for APS repair/renovations-roof, windows and curtain wall.

62. The appropriation made to the department of health and human services in 2011, 253:1, VII, G extended by 2013 195:47, 62 for incremental renewal of New Heights.

63. The appropriation made to the department of health and human services in 2011, 253:1, VII, H extended by 2013 195:47, 63 for electronic health records.

64. The appropriation made to the department of health and human services in 2011, 253:1, VII, I extended by 2013 195:47, 64 for regional assessments database II.

65. The appropriation made to the department of health and human services in 2011, 253:1, VII, J extended by 2013 195:47, 65 for video conferencing-administrative appeals unit.

66. The appropriation made to the department of health and human services in 2011, 253:1, VII, L extended by 2013, 195, 47, 66 for replatform option application.

67. The appropriation made to the department of health and human services in 2011, 253:1, VII, Q extended by 2013 195:47, 70 for ACCESS front door release II.

68. The appropriation made to the department of health and human services in 2009, 145:1, VII, B extended by 2011, 253:28, 65 extended by 2013 195:47, 71 for incremental renewal of HEIGHTS phase II.

69. The appropriation made to the department of health and human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 extended by 2013 195:47, 72 for strategic plan for legacy systems, 50-50 federal match.

70. The appropriation made to the department of health and human services in 2007, 264:1, IX, C as amended by 2009, 145:18, as extended by 2009, 145:19, 50, and 2011, 253:28, 69 extended by 2013 195:47, 73 for Glencliff-Brown building patient room floor abatement, tunnel repair, admin bldg roof replacement.

71. The appropriation made to the department of information technology in 2013, 195:1, VIII, A for enterprise licensing solution.

72. The appropriation made to the department of information technology in 2013, 195:24, I for productivity suite desktop security project.

73. The appropriation made to the department of information technology in 2013, 195:42, I for business one stop.

74. The appropriation made to the judicial branch in 2013, 195:1, IX, A for e-court initiative.

75. The appropriation made to the judicial branch in 2011, 253:1, IX, C extended by 2013 195:47, 78 for e-court initiative.

76. The appropriation made to the department of justice in 2013, 195:1, X, A for installation of video conferencing hardware.

77. The appropriation made to the department of justice in 2013, 195:1, X, B for Prolaw upgrade.

78. The appropriation made to the liquor commission in 2013, 195:1, XII, B for Hampton north and south renovations.

79. The appropriation made to the liquor commission in 2013, 195:1, XII, D, as amended by this act, for renovate warehouse for enforcement and maintenance.

80. The appropriation made to the liquor commission in 2013, 195:1, XII, E as amended by this act, for renovate space from retail to office.

81. The appropriation made to the liquor commission in 2013, 195:1, XII, G as amended by this act, for computer software-credit card.

82. The appropriation made to the liquor commission in 2013, 195:1, XII, H as amended by this act, for Portsmouth traffic circle, store #38, plans, layout and design.

83. The appropriation made to the liquor commission in 2013, 195:1, XII, I as amended by this act, for Concord warehouse roof replacement.

84. The appropriation made to the liquor commission in 2013, 195:1, XII, J as amended by this act, for signage and branding upgrade.

85. The appropriation made to the liquor commission in 2011 253:1, X, A extended by 2013 195:47, 79 for Hooksett north and south store additions.

86. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, A for state parks improvements.

87. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, B for roofing and repair - state parks.

88. The appropriation made to the department of resources and economic development in 2013, 195:1, XIII, F for fire tower repairs.

89. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, C extended by 2013 195:47, 84 for Mt. Washington-Adams building concrete repair.

90. The appropriation made to the department of resources and economic development in 2009, 145:1, X, C extended by 2011, 253:28, 77 extended by 2013 195:47, 86 for Mittersill expansion.

91. The appropriation made to the department of revenue administration in 2009, 145:1, XI, A extended by 2011, 253:28, 82 extended by 2013 195:47, 88 for tax system 2010.

92. The appropriation made to the department of safety in 2013, 195:2, I, A for radio interoperability infrastructure upgrade.

93. The appropriation made to the department of safety in 2013, 195:2, I, D for NH marine patrol headquarters.

94. The appropriation made to the department of safety in 2013, 195:1, XIV, A for radio interoperability infrastructure upgrade.

95. The appropriation made to the department of safety in 2011, 253:1, XIII, A extended by 2013 195:47, 89 for e-911 next generation.

96. The appropriation made to the department of safety in 2009, 145:2, I, A extended by 2011, 253:28, 83 extended by 2013 195:47, 92 for DMV VISION project continuation.

97. The appropriation made to the department of safety in 2007, 264:2, I, D extended by 2009, 145:19, 63 extended by 2011, 253:28, 87 extended by 2013 195:47, 93 for OIT projects for DMV.

98. The appropriation made to the department of state in 2013, 195:1, XV, A for shelving replacement and fire suppression.

99. The appropriation made to the department of transportation in 2013, 195:2, II, A for underground fuel tank replacement statewide.

100. The appropriation made to the department of transportation in 2013, 195:2, II, B for project development computer systems replacement.

101. The appropriation made to the department of transportation in 2013, 195:2, II, C for JOMB data center HVAC and UPS replacement.

102. The appropriation made to the department of transportation in 2013, 195:2, II, D for welcome information center critical and deferred maintenance.

103. The appropriation made to the department of transportation in 2013, 195:2, II, E for new patrol shed ps528 Derry, design, engineering and construction.

104. The appropriation made to the department of transportation in 2013, 195:2, II, F for new patrol shed, Strafford, design.

105. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 1 for 5 percent match for FAA projects.

106. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 2 for public transit bus and facility matching funds.

107. The appropriation made to the department of transportation in 2013, 195:1, XVI, A, 3 as amended by this act for Coos county rail improvements.

108. The appropriation made to the department of transportation in 2011, 253:1, XIV, A extended by 2013 195:47, 94 for 2.5 percent match for FAA projects.

109. The appropriation made to the department of transportation in 2011, 253:1, XIV, B extended by 2013 195:47, 95 for bus replacement-transit match.

110. The appropriation made to the department of transportation in 2011, 253:2, III, C extended by 2013 195:47, 98 for statewide salt sheds.

111. The appropriation made to the department of transportation in 2011, 253:2, III, D as amended by 2013, 195:43, as extended by 2013 195:47, 99 for new patrol shed and salt storage-Salem.

112. The appropriation made to the department of transportation in 2009, 145:1, XII, A extended by 2011, 253:28, 88 extended by 2013 195:47, 101 for FAA projects.

113. The appropriation made to the department of transportation in 2009, 145:1, XII, B extended by 2011, 253:28, 89 extended by 2013 195:47, 102 for public transit bus matching funds.

114. The appropriation made to the department of transportation in 2009, 145:1, XII, C extended by 2011, 253:28, 90 extended by 2013 195:47, 103 for airport navigation equipment.

115. The appropriation made to the department of transportation in 2009, 145:1, XII, E extended by 2011, 253:28, 92 extended by 2013 195:47, 104 for state owned rail bridge repair.

116. The appropriation made to the department of transportation in 2009, 145:2, II, C extended by 253:28, 94 extended by 2013 195:47, 105 for replacement of automated fueling system-phase 2.

117. The appropriation made to the department of transportation in 2007, 264:1, XIV, C extended by 2009, 145:19, 67 as amended by 2011, 253:16 extended by 2011, 253:28, 100 and extended by 2013 195:47, 107 for rail match.

118. The appropriation made to the department of transportation in 2007, 264:2, II, E extended by 2009, 145:19, 74 extended by 2011, 253:28, 102 extended by 2013 195:47, 108 for fuel center computer system.

119. The appropriation made to the department of transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 extended by 2013 195:47, 110 for railroad acquisition right of first refusal rail match.

120. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, as extended by 2001, 202:28, XXXIII, and 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 extended by 2013 195:47, 111 for acquisition for railroad and airport properties.

121. The appropriation made to the New Hampshire veterans' home in 2013, 195:1, XVII, A for equipment upgrades.

122. The appropriation made to the New Hampshire veterans' home in 2011, 253: XV, A extended by 2013 195:47, 112 for electronic medical records.

19 Effective Date.

I. Section 18 of this act shall take effect June 30, 2015.

II. The remainder of this act shall take effect July 1, 2015.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Hinch moved that **HB 2-FN-A-L,** relative to state fees, funds, revenues, and expenditures, be made a Special Order as the next order of business.

Motion adopted.

REGULAR CALENDAR CONT'D

SPECIAL ORDER

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Neal M. Kurk for the Majority of Finance. This is the companion or "trailer bill" to HB 1-A, the biennial budget. It contains necessary statutory changes to allow HB 1-A to be executed appropriately. Various sections were changed or removed to conform to bills passed by the House. A number of technical corrections were made. Various tax and fee increases proposed by the governor were removed, including the increases in vehicle registration fees, the increase in the tobacco tax, and the "reasonable compensation" business tax increase. Expanded Medicaid, known in New Hampshire as the New Hampshire Health Protection Program (NHHPP), will terminate on December 31, 2016, in accordance with current law, and will not be extended. Medicaid coverage for pregnant women and children will be reinstated on the same date. Other key provisions include: removing minimum sentences for non-violent criminals and encouraging the use of electronic bracelets; providing for faster and more efficient processing of felony cases, in accordance with procedures developed by the judicial branch; allowing the executive director in consultation with the fish and game commissioners to set fees for all licenses under their purview, provided the fees are established in rules and are reviewed by the joint legislative committee on administrative rules (JLCAR); removing the governor's proposed increase in the boat registration fee; authorizing departments to enter into lease-purchase agreements for vehicles or equipment; increasing public charter school funding (HB 563); combining the racing and charitable gaming commission and the lottery commission; authorizing the lottery commission to purchase its building; providing a term of office for the executive director of the lottery commission; removing the cap on education grants and tapering off the stabilization grants, starting in FY 2017; increasing the vanity plate fee by $3, with the increase used to fund the department of safety detective bureau; removing Keno and electronic Lucky 7 tickets; allowing the certificate of need board to sunset on June 30, 2016, as per current law, with any remaining funds returned to payers; continuing the moratorium on new nursing home beds; continuing the $5 million credit for county nursing homes; requiring Medicaid managed care organizations to use their preferred drug lists, saving $5 million in general funds; delaying for a year the opening of the 10-bed expansion of the NH hospital psychiatric crisis unit as a result of additional mental health community services; reducing the cost per youth of operating the Sununu Youth Services Center to the average daily rate of community homes. Vote 14-9.

Rep. Mary Jane Wallner for the Minority of Finance. The minority of the committee cannot support HB 2 as amended. Included in the act are inappropriate changes to collective bargaining agreements on health insurance and alterations to retiree health benefits. It also suspends rooms and meals tax distributions to travel and tourism efforts. Costs to implement provisions of voter identification law will be downshifted to cities and towns. The minority is opposed to the nearly $6 million downshift to counties for long term care costs through a provision that deposits 25% of the nursing home bed tax and companion federal matching funds into the general fund. This same provision has the effect of a $26 million tax increase on private nursing homes. The minority believes we should listen to the experts in health care policy and economics and extend the sunset provision for the certificate of need. The NH Health Protection Program should also be extended, so that we capitalize on the investment in our economy and increase the financial security of families and providers. The minority believes the governor's revenue proposals, such as closing the off-shore tax loophole and raising the cigarette tax, as our neighboring states have done, were reasonable and would have avoided many of the painful and misguided cuts in the budget.

Majority Amendment (1163h)

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

I. Notwithstanding any law or administrative rule to the contrary, the commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services, from any other agency except for the liquor commission, as necessary to effectuate the efficient consolidation of human resource and payroll functions within state government.

II. The commissioner of administrative services may establish the number and classification of personnel required for human resource and payroll management in state government except for the liquor commission and, with the prior approval of the governor and council, may eliminate unnecessary positions and transfer to the department of administrative services any position in another agency except for the liquor commission identified by the commissioner of administrative services as necessary to effectuate the efficient consolidation of human resource and payroll functions within state government. Such transfers shall include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel. All commissioners and department heads shall cooperate with the commissioner of administrative services to accomplish the intent of this section. Notwithstanding any law or administrative rule to the contrary, the division of personnel shall be authorized to reclassify positions required for human resources or payroll consolidation from one class series to a different class series as provided in RSA 21-I:54 and shall not require the approval of governor and council.

III. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation of human resource and payroll functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation of human resources and payroll functions.

2 Department of Administrative Services; Consolidation of Business Processing Functions.

I. The commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services, from any other agency except for the liquor commission, as necessary to effectuate the efficient consolidation of business processing functions within state government. Such business processing functions shall include:

(a) Accounts receivable;

(b) Accounts payable;

(c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to the state; and

(d) Such other finance and accounting functions and transactions the commissioner of administrative services determines would achieve substantial efficiencies from consolidation.

II. The commissioner of administrative services may issue a request for proposals or purchases in accordance with RSA 21-I:22 and RSA 21-I:22-a for the services and assistance of a qualified consultant to evaluate and identify opportunities for business processing consolidation in state government and make recommendations, including for a proposed implementation plan, for consolidation of such functions.

III. The commissioner of administrative services may establish the number of total personnel required for business processing functions in the executive branch of state government and, with the prior approval of the governor and council, may eliminate unnecessary positions and transfer to the department of administrative services any position in another agency except for the liquor commission identified by the commissioner of administrative services as necessary to effectuate the efficient consolidation of business processing functions within state government. Such transfers shall include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, and any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

IV. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation of business functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation of human resources and payroll functions.

3 Department of Administrative Services; Continuation of Appropriation. Any unspent balance remaining on the $250,000 appropriation made by 2011, 224:86 to the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2017. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation of human resource, payroll, finance, business processing and accounting functions.

4 Department of Administrative Services; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2017, the commissioner of the department of administrative services is hereby authorized to transfer funds within and among all accounting units and/or class codes within the department, with the exception of class 60 transfers, and is further authorized to create new class codes within the department into which funds may be transferred or placed, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided if a transfer does not include new class codes, only transfers over $75,000 shall require prior approval of the fiscal committee of the general court.

5 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.

I. For purposes of this section, "laid off" means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who is laid off between July 1, 2015 and June 30, 2017, as a result of reorganization or downsizing of state government.

II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire.

III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2015 and June 30, 2017, to the director of the division of personnel within 10 days of the layoff.

6 Health Risk Appraisal; Protected Health Information. All information contained in a state employee's health risk appraisal as referenced in any collective bargaining agreement shall be considered protected health information and entitled to all of the non-disclosure and other restrictions set forth in the Health Insurance Portability and Accountability Act of 1996, as amended, (HIPAA) Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. Part 160 and Subparts A and E of Part 164 ("Privacy Rule").

7 State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.

8 New Paragraph; Executive Councilors. Amend RSA 94:1-a by inserting after paragraph IV the following new paragraph:

V.(a) Executive councilors may participate at their own expense in a group health and dental insurance arrangement during their tenure in office. Such group health and dental insurance arrangement shall be the state employees group insurance plan afforded full-time state employees.

(b) Notwithstanding the terms of any state employee group insurance contract or other state law to the contrary, executive councilors who have participated in a group health and dental insurance arrangement during their tenure in office, shall elect, within 30 days after they leave the executive council, either to continue to participate fully in that arrangement for as long as they choose to do so at their own expense, or to discontinue their participation.

(c) The commissioner of the department of administrative services shall invoice and collect amounts due from executive councilors and former executive council members. Collected amounts shall be deposited in the employee and retiree benefit risk management fund, established in RSA 21-I:30-e.

(d) Failure to remit payment for participation pursuant to paragraph I in full within 30 days of billing shall be grounds for terminating benefits, effective with the beginning of the billing period. Reenrollment shall be dependent upon payment of outstanding participation or other amounts.

(e) Failure to remit payment in full for participation pursuant to paragraph II within 60 days of billing shall be grounds for permanently terminating benefits effective upon the beginning of the billing period. Either in the billing notice or in a separate notice to the person billed, the department of administrative services shall advise that failure to pay the specified amount in full within the required time shall be grounds for permanent termination of benefits.

9 Department of Administrative Services; Energy Consumption Reduction Reports. Amend RSA 21-I:14-c to read as follows:

21-I:14-c Energy Consumption Reduction Goal; Reports.

I. Each state department shall identify cost-effective measures to reduce fossil fuel consumption by 25 percent by 2025 in state buildings, on a square foot basis, compared to a 2005 baseline. Implementation of any measures shall be subject to the appropriate budgetary process and approval. Cost effectiveness for the purposes of this section shall mean a return on investment based on energy savings and reduced operational costs within the expected lifetime of the measure.

II. Beginning in calendar year [~~2012~~] ***2016***, each state department shall submit [~~an annual~~] ***a biennial*** report to the commissioner of administrative services on or before [~~September 1~~] ***October 15*** which details any cost-effective measures it is utilizing and those potential measures, subject to budgetary approval, to comply with the energy consumption reduction goal established in paragraph I and its annual progress in complying with this goal.

III. Beginning in calendar year [~~2012~~] ***2016***, the commissioner shall submit [~~an annual~~] ***a biennial*** report to be made available to the public on or before [~~December 1~~] ***January 15*** compiling the annual reports submitted under paragraph II, with findings on the departments' annual progress in complying with the energy consumption reduction goal established in paragraph I and problems which may prevent the departments from achieving this goal, to the governor, the senate president, the speaker of the house of representatives, the chair of the senate energy and natural resources committee and the chair of the house science, technology and energy committee.

10 New Paragraph; Department of Administrative Services; State Facility Energy Cost Reduction; Definition of Renewable Energy Added. Amend RSA 21-I:19-b by inserting after paragraph VI the following new paragraph:

VII. "Renewable energy," for the purposes of this section, means wind energy; biomass energy; geothermal energy, if the geothermal energy output is in the form of useful thermal energy; hydrogen derived from biomass fuels or methane gas; ocean thermal, wave, current, or tidal energy; methane gas; solar thermal or electric energy; or hydropower.

11 Department of Administrative Services; Energy Performance Contracting. Amend RSA 21-I:19-d, I to read as follows:

I. Any state agency or municipality may enter into an energy performance contract for the purpose of undertaking or implementing energy conservation or alternate energy measures in a facility. An energy performance contract may include, but shall not be limited to, options such as joint ventures, shared-savings contracts, positive cash flow financing or energy service contracts, or any combination thereof, provided that at the conclusion of the contract the agency will receive title to the energy system being financed, if the agency so desires. [~~The agency that is responsible for a particular facility shall review and make recommendations regarding energy performance contract arrangements for the facility to the IEEC.~~]

12 Department of Administrative Services; Energy Performance Contracting. Amend RSA 21-I: 19-d, II(f) to read as follows:

(f) Any energy performance contract should require the contractor to include all energy efficiency improvement in selected buildings that are calculated to recover all costs within 20 years from the date of project implementation at existing energy prices. The contract shall require that the public utility or energy services provider be repaid only to the extent of energy cost savings guaranteed by the contractor to accrue over the term of the contract. [~~Repayments to the public utility or energy services provider shall be interest-free.~~]

13 New Paragraph; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I:30 by inserting after paragraph II the following new paragraph:

II-a. Retired employees who are eligible for Medicare Part A without premium due to age or disability shall provide proof of enrollment in Medicare Parts A and B within 30 days of becoming eligible for Medicare or they shall no longer be eligible to participate in the state retiree benefit plan for as long as they are not participating in Medicare Parts A and B.

14 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. RSA 21-I:30, III is repealed and reenacted to read as follows:

III. The state shall pay a partial premium for each retired employee, as defined in paragraphs VI and VII, who is not eligible for Medicare and for his or her spouse for their lifetimes, toward group health care coverage within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court prior to its adoption. Pursuant to paragraph XIII, a portion of the premium shall be paid by each retiree and his or her spouse. Retired employees who are not eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.

15 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I: 30, XIII to read as follows:

XIII. The commissioner of administrative services shall invoice and collect from retired state employees [~~under the age of 65 years~~] ***and/or each applicable spouse who are not Medicare eligible and*** receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, [~~the~~] ***a*** premium contribution [~~amounts of 12.5 percent~~] ***amount based on a percentage*** of the total monthly premium [~~for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 20 percent***. The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law. Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution

or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

16 Department of Administrative Services; New Hampshire Retirement System; Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III. The retirement system shall deduct from the monthly retirement allowance of retired state employees [~~under the age of 65 years~~] ***and/or each applicable spouse who are not Medicare eligible and*** receiving medical and surgical benefits provided pursuant to RSA 21-I:30, [~~the~~] ***a*** premium contribution [~~amounts of 12.5 percent~~] ***amount based on a percentage*** of the total monthly premium [~~for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than 20 percent***. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree ***and/or each applicable spouse*** the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

17 Department of Administrative Services; Judicial Retirement Plan. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and ***their applicable*** spouses [~~under the age of 65 years~~] ***who are not Medicare eligible and*** receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount [~~of 12.5 percent of the~~] ***based on a percentage of the*** total monthly premium [~~for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 20 percent***. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

18 Lottery Commission; Incentive Program. Amend RSA 284:21-h by inserting after paragraph VI the following new paragraph:

VII. The lottery commission may develop and implement an employee recognition program for monetary incentives to promote increased sales and compensate lottery sales representatives based upon performance and funded from an existing lottery budget line item. The incentive program shall be implemented through rules adopted by the lottery commission in accordance with RSA 541-A. The lottery commission shall report quarterly to the fiscal committee of the general court on the status of the incentive program.

19 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2017, the liquor commission shall reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.

20 New Paragraph; Department of Justice; Civil Bureau; Contract Attorney. Amend RSA 21-M:11 by inserting after paragraph II the following new paragraph:

III. The department of justice shall have the authority to hire a full-time attorney assigned to the bureau, who shall act as legal counsel for state executive agencies in the procurement, negotiation, and development of contracts as determined by the attorney general. Each agency shall notify the department of justice of its intent to procure a contract or enter into any agreement that may materially impact the state, according to criteria established by the department of justice, including but not limited to, contract value, complexity, and performance obligations.

21 Department of Justice; Agency Attorneys. Amend RSA 7:13 to read as follows:

7:13 Transfer of Attorneys From Other Departments.

I. Upon request of the attorney general, the governor is hereby authorized to transfer any employee authorized to do legal work, and all unexpended appropriations and funds allocated for the payment of such employee's salary, from any department or agency of the state to the department of justice whenever such action is deemed by the governor to be in the best interest of the state. ***Upon transfer, the employee's position shall be converted to an unclassified attorney position. The transferring agency shall be responsible for any eligible earned but unused leave due to the employee.*** Any such employee so transferred or employed by the expenditure of such funds and appropriations shall be directly responsible to the attorney general and shall perform such services as the attorney general may direct. [~~The provisions of this section shall not apply to the general counsel and counsel of the department of employment security.~~]

II. Whenever an attorney position in any agency or department becomes vacant, the attorney general shall have the option of transferring the position and any related appropriations to the department of justice. The attorney general shall be notified whenever such a vacancy occurs, and shall decide whether to request a transfer of the position pursuant to paragraph I.

22 Department of Justice; Compliance with Nonparticipating Manufacturer Adjustment Settlement Agreement. Amend RSA 21-J:14, XII to read as follows:

XII. Department records, files, or information obtained by the commissioner or other department employee under the provisions of RSA 78, RSA 541-C, or RSA 541-D may be disclosed to the attorney general, or designee, and other federal, state, or local agencies as provided under RSA 541-D:5, II. ***The attorney general or designee may further disclose such records, files, or information pursuant to an agreement with an entity designated to serve as a data clearinghouse in accordance with the terms of the Nonparticipating Manufacturer Adjustment Settlement Agreement. The Nonparticipating Manufacturer Adjustment Settlement Agreement means, for purposes of this paragraph, the settlement agreement between the state of New Hampshire and the participating manufacturers, as primarily set forth in the term sheet dated November 14, 2012 and approved by the general court in 2013, 6.***

23 Judicial Appointments; Number Limited; Vacancies.

I. Except as provided in paragraph II, for the biennium ending June 30, 2017, the number of judges serving on the superior court shall not exceed 20 and the number of full-time judges serving on the circuit court shall not exceed 31.

II. For the biennium ending June 30, 2017, the filling of a marital master position by a judge shall increase the authorized number of circuit court judges allowed under paragraph I for each position so filled.

24 Judicial Branch; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2017, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of $75,000 or more.

25 New Paragraph; Community College System; Retiree Health Care Payments. Amend RSA 188-F:7 by inserting after paragraph IV the following new paragraph:

V. The community college system of New Hampshire shall remit to the state on a monthly basis the cost of retiree health care benefits for employees who have retired on or after July 1, 2011. The amount due shall be based on current enrollment for that month and the working rate for the calendar

year. Invoices from the department of administrative services shall contain retiree enrollment detail in regards to the amount due. The department shall provide the community college system an anticipated budget each biennium as part of the retiree health budget process.

26 Fish and Game Department; Rulemaking; Fees. Amend RSA 206:10, I as follows:

I. It shall be the duty of the executive director to function as the chief administrator of the commission and to protect, propagate and preserve the fish, game, and wildlife resources of the state and to protect and conserve nongame birds of the state. The executive director shall, subject to the limitations hereinafter set forth, have the power and authority to adopt and enforce rules, pursuant to RSA 541-A, for the adequate and effective control, management, restoration, conservation, and regulation of the fish, game, bird, and wildlife resources of the state, including rules designed to prohibit or otherwise regulate nonagricultural activities which may cause the introduction or spread of infectious disease in the state's wildlife resources. Such power and authority shall include*: (a)* the right*, after consultation with the commission,* to *set and charge fees adopted pursuant to RSA 541-A, (b) the right to* open and close the season for taking fish, game, birds, and wildlife, *(c)* the right to fix the size, number and weight limits, and other conditions governing the method and manner of taking the same. Such power and authority may be exercised with reference to the state as a whole, or for any specified county or part thereof, or for any lake, pond, stream, or part thereof.

27 Fish and Game; Crossbow Permit; Disability; Administrative Fee. Amend RSA 207:10-c, V, to read as follows:

V. [~~A $10~~] *An* administrative fee *set by the executive director pursuant to RSA 206:10, I* shall be charged once, upon application to the executive director for such permit.

28 Fish and Game; Dog Training; Fee. Amend RSA 207:12-a, I to read as follows:

I. Any person who is licensed to hunt within the state may be issued a training permit for the training of bird dogs and trail or tree hounds during the closed season on any wildlife, except deer, moose, caribou, elk, lynx, cougar, bobcat, and turkey, upon application and the payment of a fee [~~of $5~~]. The executive director shall adopt rules pursuant to RSA 541-A, relative to the *amount of the fee for the training permit and the* period for the training of bear dogs. Notwithstanding the provisions of this paragraph, field trials shall be permitted pursuant to RSA 207:13.

29 Fish and Game; Field Trials. Amend RSA 207:13, I to read as follows:

I. Field trials for dogs may be held at such times, in such manner, and under such restrictions, as may be prescribed by the executive director. Any person wishing to hold a field trial shall first obtain a written permit from the person on whose land it is proposed to hold the trial, present the same to the executive director, and pay a fee [~~of $9.50~~] *set by the executive director pursuant to RSA 206:10, I*, including field trials for coon dogs and such night hunts for coon dogs as authorized by paragraph II. The executive director may thereupon issue a permit for such field trial. The executive director or his duly authorized agent shall supervise the holding of such field trial, enforce the terms of the permits, and the rules for its conduct. The executive director shall adopt rules under RSA 541-A for the conduct of field trials as in his *or her* opinion are necessary to safeguard the interest of the wildlife of the state, provided that the executive director shall issue permits for beagle trials to any beagle club recognized by the American Kennel Club for trials to be run under the rules and regulations of the American Kennel Club. The fee for this permit shall [~~not exceed $9.50~~] *be set by the executive director pursuant to RSA 206:10, I*. The executive director or his *or her* authorized agent shall enforce the terms of such permits.

30 Fish and Game; Bow and Arrow; License Fee. RSA 208:5, I is repealed and reenacted to read as follows:

I. The executive director shall set the fee pursuant to RSA 206:10, I, for issuance of archery licenses for the following categories: residents 16 years of age or older and nonresidents 16 years of age or older.

31 Fish and Game; Muzzleloaders. Amend RSA 208:5-a to read as follows:

208:5-a Muzzleloaders. A person who has complied with the licensing requirements relative to hunting deer pursuant to RSA 214, [~~upon payment of a fee of $15 by residents or a fee of $40 by non residents,~~] shall be issued a license*, upon payment of a fee set by the executive director pursuant to RSA 206:10, I, for the following categories: residents 16 years of age or older and nonresidents 16 years of age or older*. A muzzleloading license shall not be required for residents less than 16 years of age, but such person while hunting with a muzzleloading firearm shall be accompanied by a properly licensed person who is 18 years of age or over and must also comply with all provisions of this chapter. The license shall entitle the holder to hunt deer with a single shot muzzleloading firearm.

32 Fish and Game; Special Deer Permits. Amend RSA 208:5-b to read as follows:

208:5-b Special Deer Permits. The executive director may issue special deer permits to a person licensed with the applicable license to hunt issued under RSA 214, or RSA 208:5 or [~~5-a~~] ***208:5-a***. The executive director shall adopt rules pursuant to RSA 541-A relative to fixing the number and sex limitations for wild deer and any other conditions governing the location, method, and manner of taking as well as the issuance and fee for special deer permits. [~~The executive director may charge a fee not to exceed $15 for all applications for special deer permits.~~]

33 Fish and Game; Black Bears. Amend RSA 208:24, II to read as follows:

II. No person shall take wild black bears in this state without first procuring a bear license and tag in addition to the applicable license to hunt issued pursuant to RSA 214 or RSA 208:5. The cost of the bear license and tag, ***for both residents and nonresidents,*** shall be [~~$15 for residents and $47 for non residents~~] ***set by the executive director pursuant to RSA 206:10, I***.

34 Fish and Game; Fishing Tournaments. Amend RSA 211:16-b to read as follows:

211:16-b Fishing Tournaments.

I. No person shall promote or operate any fishing tournament in the waters under the jurisdiction of this state without first procuring a special permit from the executive director to do so. [~~The fee for a permit issued under this section is $25.~~]

II. The executive director shall adopt rules, pursuant to RSA 541-A, relative to definitions, ***fees,*** conditions, requirements for waivers, including waivers of the fee, qualifications, and all other criteria relating to the operation of a fishing tournament on any waters of the state.

35 Fish and Game; Lobster and Crab. Amend RSA 211:18, III-a to read as follows:

III-a. The [~~following fees shall apply to lobster and crab license~~] ***executive director shall set the fee pursuant to RSA 206:10, I for the following lobster and crab license types*** issued under this section:

(a) Resident commercial lobster and crab license[~~; $300~~].

(b) Nonresident commercial lobster and crab license[~~; $600~~].

(c) Resident limited commercial lobster and crab license[~~; $175~~].

(d) Nonresident limited commercial lobster and crab license[~~; $350~~].

(e) Resident part-time commercial lobster and crab license[~~; $103~~].

(f) Nonresident part-time commercial lobster and crab license[~~; $350~~].

(g) Recreational lobster and crab license[~~; $35~~].

36 Fish and Game; Lobster Helper's License. Amend RSA 211:20 to read as follows:

211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a helper's license which entitles the person to have the help of a person in the taking of lobsters or crabs. The helper's license may be transferred to any one helper employed by the licensee, but may not be transferred to a person who previously had a lobster license which is under suspension. A helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and crabs only in the presence of and aboard the boat of a person licensed under the provisions of RSA 211:18, and who holds a valid helper's license. [~~The fee for a helper's license is $10.~~] The executive director shall adopt rules pursuant to RSA 541-A relative to the ***fee for a helper's license and the*** terms and restrictions of a helper's license to comply with lobster trap limits established under the Atlantic States Marine Fisheries Commission management plan for American lobster relative to reduced fishing effort.

37 Fish and Game; Lobster Retail Dealer. RSA 211:39, II through IV are repealed and reenacted to read as follows:

II. The executive director shall set the fee pursuant to RSA 206:10, I, for retail dealer licenses issued under this section.

38 Fish and Game; Nonresident Commercial Salt Water License. Amend RSA 211:49-a, II to read as follows:

II. The fee for an annual license shall be [~~$500~~] ***set by the executive director pursuant to RSA 206:10, I***. The license shall be for the operator of the boat, vessel, flotation device, or gear, and helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops by diving.

39 Fish and Game; Nonresident Wholesaler License. Amend RSA 211:49-aa, I, to read as follows:

I. Any person, firm, or corporation who does not qualify as a resident under RSA 207:1 or RSA 211:43 and who is engaged in a wholesale trade in any marine species shall first procure a valid license from the executive director to do so in this state. The license shall entitle the licensee to buy, sell, process, and transport any marine species in wholesale trade within the state and to ship any

marine species within and outside the state. A separate extra facility license shall be required for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A nonresident wholesale license shall not be required by a person properly licensed pursuant to RSA 211:49-a. The [~~fee~~] ***fees*** for an annual license [~~shall be $200 and $75~~] ***and*** for each extra facility license ***shall be set by the executive director pursuant to RSA 206:10, I***. A copy of the license shall be carried in each vehicle and displayed at all facilities.

40 Fish and Game; Resident Commercial Salt Water License. Amend RSA 211:49-b, II to read as follows:

II. The fee for such annual license shall be [~~$50~~] ***set by the executive director pursuant to RSA 206:10, I***. The license shall be for the operator of the boat, vessel, flotation device, or gear, and helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops by diving.

41 Fish and Game; Resident Wholesaler License. Amend RSA 211:49-c, I to read as follows:

I. Any person, firm, or corporation engaged in a wholesale trade in any marine species shall first procure from the executive director a license to do so. Said license shall entitle the licensee to buy, sell, process, and transport any marine species in wholesale trade within the state and to ship any marine species within and outside the state. A separate extra facility license shall be required for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A resident wholesaler license shall not be required by a person properly licensed pursuant to RSA 211:49-b. The [~~fee~~] ***fees*** for an annual license [~~shall be $100 and $50~~] ***and*** for each extra facility license ***shall be set by the executive director pursuant to RSA 206:10, I***. A copy of the license shall be carried in each vehicle and displayed at all facilities.

42 Fish and Game; Landing License. Amend RSA 211:49-d to read as follows:

211:49-d Landing License; Lobster and Crabs. Any person who is not licensed under RSA 211:18, RSA 211:49-a, or RSA 211:49-b and wishes to transport in state waters lobsters and crabs taken outside the jurisdiction of the state via ship, vessel, or similar craft in state waters for the purposes of landing the lobsters and crabs in the state must first procure a landing license. This shall allow the licensee to sell lobster and crab landed under such person's license. The fee for [~~an~~] annual [~~license~~] ***licenses*** [~~shall be $50 for a resident and $500 for any persons who does not qualify as a residents under RSA 207:1~~] ***for residents and nonresidents shall be set by the executive director pursuant to RSA 206:10, I***.

43 Fish and Game; Commercial Shrimp License. Amend RSA 211:49-e, II and III to read as follows:

II. The [~~fee~~] ***fees*** for the northern shrimp [~~license~~] ***resident and nonresident licenses*** shall be [~~$100 for residents~~] ***set by the executive director pursuant to RSA 206:10, I***.

III. [~~The fee for the northern shrimp license shall be $500 for nonresidents.~~] A nonresident shall not be eligible to obtain a commercial shrimp license unless the state in which such person is a resident provides a reciprocal licensing privilege for residents of this state.

44 Fish and Game; Oyster License. Amend RSA 211:62-a to read as follows:

211:62-a License for Taking. No person shall at any time take oysters unless the person is a resident of the state and has been duly licensed as provided in this section. Any resident of this state shall, upon application to the executive director of the fish and game department, be granted a license to take oysters upon payment of a fee [~~of $29~~] ***set by the executive director pursuant to RSA 206:10, I***. Such license shall be issued for the current calendar year. The executive director of the fish and game department shall make readily available such licenses as are covered by this section through its regular outlets. A person who furnishes to another person or permits another person to have or use the person's oyster license or the license of any other person, or changes or alters such license or uses a license issued to another person, or makes a false statement in an application to obtain said license shall be subjected to the penalty under RSA 211:64.

45 Fish and Game; Clams in Coastal Waters. Amend RSA 211:62-d to read as follows:

211:62-d Clams in Coastal Waters. No one other than an individual natural person who is a bona fide resident of the state, and who has obtained a [~~$300~~] commercial clamming license, may at any time commercially harvest or take the following from ocean waters within the jurisdiction of the state, black clams (Cyprina islandica), sea clams (Spisula solidissima), and razor clams (Enis directus). No such person authorized by this section to take such clams may take more than 500 bushels of unshucked clams daily. ***The fee for a commercial clamming license shall be set by the executive director pursuant to RSA 206:10, I.***

46 Fish and Game; Recreational Taking of Clams. Amend RSA 211:64-b to read as follows:

211:64-b License for Recreational Taking of Clams. No person shall at any time take clams for such person's own use unless the person is a resident of the state and has been duly licensed as provided in this section. Any person 6 years of age or older shall, upon application to the executive director of the fish and game department, be granted a license to take clams for recreational purposes upon payment of a fee [~~of $29~~] ***set by the executive director pursuant to RSA 206:10, I.*** Such license shall be issued for the current calendar year. A resident of the state may take up to one quart of clamworms during any one day for such person's own use without a license. A person who furnishes to another person or permits another person to have or use the person's recreational clam license or the license of any other person, or changes or alters such license or uses a license issued to another person, or makes a false statement in an application to obtain said license shall be subjected to the penalty under RSA 211:64.

47 Fish and Game; Sale of Venison. Amend RSA 212:30-d, III to read as follows:

III. Resident and nonresident wholesalers who wish to sell imported venison in this state as permitted in paragraph I shall procure a wholesaler's license from the department of fish and game to do so, the fee for which shall be [~~$50~~] ***set by the executive director pursuant to RSA 206:10, I.*** Said license shall expire on December 31 of each calendar year. Wholesalers shall provide bills of sale in duplicate, one copy of which shall be given to the retail seller, and the other copy of which shall be retained as a file copy by the wholesaler and shall be available for inspection by any agent of the executive director.

48 Fish and Game; License Fees. Amend RSA 214:8 to read as follows:

214:8 Form***; Fees.***

I. The executive director shall prepare licenses, game tags, permits, stamps, and such other forms as determined necessary to comply with all licensing requirements of title XVIII. Such license, when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of eyes, and residence of the licensee and such other information, including affidavits, as may be requested by the executive director. The license, to be valid, shall be countersigned by the licensee on the face of the license in the space provided.

II. The executive director shall set fees for the various license types described in RSA 214:9 pursuant to RSA 206:10, I.

49 Fish and Game; License Applications and Fees. Amend RSA 214:9 to read as follows:

214:9 Application[~~; Fees~~]. [~~The~~] ***To obtain any of the following licenses, an*** applicant shall fill out and subscribe [~~to~~] ***on*** a blank to be furnished by the executive director and pay the agent the [~~following~~] ***license*** fees, ***established under RSA 214:8, II,*** and the agent fee as provided in RSA 214-A:4:

I. [~~If the applicant is a resident of this state and wishes to hunt, $21, and the agent shall thereupon issue a~~] Resident hunting license, which shall entitle the licensee to hunt, shoot, kill, or take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

II. [~~If the applicant is a resident of this state and wishes to fish, $33, and the agent shall thereupon issue a~~] Resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, under the restrictions of this title.

II-a. [Repealed.]

II-b. [~~If the applicant is a resident of this state and wishes to fish for one day, $8, and the agent shall thereupon issue a~~] One-day resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for said time only, under the restrictions of this title.

III. [~~If the applicant is a resident of this state and wishes to hunt and fish, $44, and the agent shall thereupon issue a~~] Resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish under the restrictions of this title.

IV. [~~If the applicant is a resident of this state and wishes to take fur-bearing animals and coyote by the use of traps, $27.50, and the department shall thereupon issue a~~] ***Resident*** trapping license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.

V. [~~If the applicant is a resident under 16 years of age and wishes to take fur-bearing animals and coyote by the use of traps when not accompanied by a licensed trapper 18 years of age or over, $5.50, and the agent shall thereupon issue a~~] Resident minor's trapping license, which shall entitle the licensee ***under 16 years of age*** to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.

VI. [~~If the applicant is a nonresident, 16 years of age or older, and wishes to hunt, $102, and the agent shall thereupon issue a~~] Nonresident hunting license which shall entitle the licensee to hunt, shoot, kill, and take, except by the use of traps, and to transport wild birds and wild animals under the restrictions of this title.

VI-a. [~~If the applicant is a nonresident and wishes to hunt and fish, $139, and the agent shall thereupon issue a~~] Nonresident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish under the restrictions of this title.

VII. [Repealed.]

VII-a. [~~If the applicant is a nonresident and wishes to take small game as defined in RSA 207:1, XXVI, $52, and the agent shall thereupon issue a~~] Nonresident small game license which shall entitle the licensee to hunt, shoot, or take small game ***as defined in RSA 207:1, XXVI***; provided, however, this license shall not authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

VII-b. [~~If the applicant is a nonresident and wishes to take small game as defined in RSA 207:1, XXVI, for 3 consecutive days, $24, and the agent shall thereupon issue a~~] 3-day nonresident small game license which shall entitle the licensee to hunt, shoot, or take small game ***as defined in RSA 207:1, XXVI, for 3 consecutive days***; provided, however, this license shall not authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

VIII. [~~If the applicant is a nonresident, 16 years of age or older, and wishes to take any species of freshwater fish, $51, and the agent shall thereupon issue a~~] Nonresident fishing license which shall entitle the licensee to kill, take, and transport all species of freshwater fish under the restrictions of this title[~~, provided that:~~

~~(a) [Repealed.]~~

~~(b) If the applicant wishes to take said fish for 7 consecutive days, $33, and the agent shall thereupon issue a 7-day nonresident fishing license for said time only under the restrictions of this title;~~

~~(c) If the applicant wishes to take said fish for 3 consecutive days, $26, and the agent shall thereupon issue a 3-day nonresident fishing license for said time only under the restrictions of this title; and~~

~~(d) [Repealed.]~~

~~(e) If the applicant wishes to take said fish for one day, $13, and the agent shall thereupon issue a one-day nonresident fishing license for said time only under the restrictions of this title~~].

VIII-a. [Repealed.]

VIII-b. [Repealed.]

VIII-c. 7-day nonresident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for 7 consecutive days, under the restrictions of this title.

VIII-d. 3-day nonresident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for 3 consecutive days, under the restrictions of this title.

VIII-e. One day nonresident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish, for one day, under the restrictions of this title.

IX. [~~If the applicant is a nonresident and wishes to take fur-bearing animals and coyotes by the use of traps, the nonresident shall pay $300.~~] ***Nonresident trapping license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and transport them under the restrictions of this title.*** If the applicant's state or province does not permit nonresident trappers, said applicant shall be denied a nonresident license in this state.

X.(a) [~~If the applicant wishes to hunt pheasants, the agent shall thereupon issue a~~] Pheasant license or stamp which shall entitle the licensee to hunt, shoot, kill, and take, except by the use of traps, pheasants during the open season.

(b) The fee for such license or stamp shall be [~~determined by the executive director pursuant to RSA 541-A~~] ***set by the executive director pursuant to RSA 206:10, I.***

XI. [~~If the applicant is a resident and wishes to hunt wild turkeys, $15, and if the applicant is a nonresident and wishes to hunt wild turkeys, $30, and the fish and game department shall thereupon issue a wild turkey license or permit~~] ***Resident wild turkey license,*** which shall entitle the licensee to hunt, shoot, kill, and take turkey, except by the use of traps.

XI-a. Nonresident wild turkey license, which shall entitle the licensee to hunt, shoot, kill, and take turkey, except by the use of traps.

XII. [~~If the applicant wishes to hunt migratory waterfowl, $4.00, and the agent shall thereupon issue a state~~] Migratory waterfowl license which shall entitle the licensee to hunt, shoot, kill, and take migratory waterfowl during such time and in such manner and numbers as may be allowed under RSA 209:6.

XIII.(a) Any recognized summer camp or educational facility operated within the state may apply to the executive director of the fish and game department for a group fishing license that may be utilized by individual campers or students while participating in camp or school approved activities. The fee for the license [~~shall be $25, and~~], the definitions, requirements for participation, and criteria for obtaining the license shall be determined by the executive director pursuant to rules adopted under RSA 541-A.

(b) [Repealed.]

XIV. [Repealed.]

XV. If the applicant wishes to take wild animals, excluding fish and marine species, or wild birds, [~~$2.50~~] ***a fee set by the executive director pursuant to RSA 206:10, I***, and the agent shall thereupon issue a wildlife habitat stamp or license as provided in RSA 214:1-f. For any year in which a stamp is issued, the agent shall be entitled to retain [~~$.50~~] ***a portion*** of the [~~$2.50~~] fee ***as set by the executive director pursuant to RSA 206:10, I*** for each wildlife habitat stamp sold and all stamps sold at the department headquarters or any subagency thereof shall retain the same [~~$.50~~] ***portion of the*** fee which, notwithstanding RSA 214:1-f, V, shall be credited to the general fish and game fund. Notwithstanding any other provision of law, there shall be no agent fee for a wildlife habitat license issued pursuant to RSA 214:1-f.

XVI.(a) [~~If the applicant is 16 years of age or older and wishes to take, possess, or transport finfish from coastal and estuarine waters under the restrictions of this title, the applicant shall pay the fee according to the schedule in subparagraph (c), and the agent shall thereupon issue a~~] Recreational saltwater license which shall entitle the licensee***, 16 years of age or older,*** to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title, provided that any person participating in a recreational saltwater fishing opportunity on a for-hire vessel, which is licensed under subparagraph (b), shall be exempt from the license requirement of this subparagraph.

(b) A resident or nonresident owner or operator of a for-hire vessel who wishes to provide recreational saltwater fishing opportunities for persons taking finfish from coastal and estuarine waters, shall pay a fee***, set by the executive director pursuant to RSA 206:10, I,*** for each charter boat and each party boat [~~according to the schedule in subparagraph (c),~~] which shall entitle the owner or operator of the licensed for-hire vessel to take, possess, or transport finfish from coastal and estuarine waters, under the restrictions of this title.

(c) A nonresident holding a valid recreational saltwater license or a for-hire charter or party boat saltwater license from Maine or Massachusetts, shall be allowed to take, possess, or transport finfish from New Hampshire coastal and estuarine waters, provided that the state in which such person purchased a recreational saltwater license or in which the for-hire vessel is registered allows an angler with a New Hampshire recreational saltwater license or a saltwater for-hire vessel with a for-hire license from New Hampshire to recreationally take, possess, or transport finfish in that state's coastal and estuarine waters.

(d) In this paragraph:

(1) "Coastal and estuarine waters" means all waters within the rise and fall of the tide, and water below any fishway or dam which is normally the dividing line between tide water and fresh water, or below any tidal bound which has been legally established in streams flowing into the sea under the jurisdiction of the state.

(2) "For-hire vessel" means a party boat, charter boat, dive boat, head boat, or other boat hired by persons to engage in recreational saltwater fishing opportunities.

(3) "Recreational saltwater fishing" means taking of any marine finfish, by any means for personal use only and which are not sold.

(4) "Charter boat" means a vessel less than 100 gross tons (90.8 metric tons) that meets the requirements of the U.S. Coast Guard to carry 6 or fewer passengers for hire.

(5) "Party boat" or "head boat" means a vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for hire.

(e) [~~The following fees shall apply:~~

~~(1) $10 for resident and nonresident individuals.~~
~~(2) $50 for charter boats and other for-hire vessels, except party boats.~~
~~(3) $100 for party boats.~~

~~(f)~~] The executive director shall adopt rules under RSA 541-A on the further definitions, criteria, and requirements for obtaining the licenses under this paragraph.

50 Fish and Game; Fur Buyers. Amend RSA 214:25 to read as follows:

214:25 Applications; Fees. The applicant, whether a resident or nonresident, shall fill out and sign a blank to be furnished by the executive director and pay [~~the applicable~~] ***a*** license fee ***set by the executive director pursuant to RSA 206:10, I***. The executive director shall thereupon issue a fur buyer's license which shall entitle the licensee to buy and sell the furs and skins of deer, coyotes, and fur-bearing animals lawfully taken, and to sell and transport the same, under the restrictions of this title. The executive director shall grant such licenses for the entire state upon the payment of [~~a~~] ***the applicable license*** fee [~~of $50 for residents or upon the payment of a fee of $150 for nonresidents~~].

51 Fish and Game; Taxidermy. Amend RSA 214:29-a to read as follows:

214:29-a Taxidermy. The executive director may grant licenses which may be revoked or suspended at any time to any person desiring to practice taxidermy, as defined under general provisions, RSA 207:1, XXVII-a. [~~The fee for a taxidermy permit shall be $50, and~~] The executive director shall adopt rules under RSA 541-A relative to the ***fee for a taxidermy permit, and the*** conditions, qualifications, and other criteria under which a taxidermy permit shall be granted.

52 Fish and Game; Freshwater Bait. Amend RSA 214:34 to read as follows:

214:34 Licenses Required.

I. No person shall take, sell, or offer to sell live fish for bait without first procuring a license to do so.

II. The applicant shall complete the prescribed application form furnished by the executive director and pay the [~~following~~] appropriate ***license*** fee in addition to the $1 agent's fee as provided in RSA 214-A:4[~~:~~

~~(a) If the applicant is a retailer, he shall pay a fee of $25.~~
~~(b) If a resident applicant wishes to sell at retail and wholesale, he shall pay a fee of $75.~~
~~(c) If a nonresident applicant wishes to sell at retail, he shall pay a fee of $50.~~
~~(d) If a nonresident applicant wishes to sell at wholesale, he shall pay a fee of $150~~].

III. Fees for the following license types shall be set by the executive director pursuant to RSA 206:10, I:

(a) Retail.
(b) Resident retail and wholesale.
(c) Nonresident retail.
(d) Nonresident wholesale.

53 Fish and Game; Importing Bait. Amend RSA 214:34-d to read as follows:

214:34-d Permit to Import. No fish of any description shall be brought into this state for use as bait without first procuring a permit from the executive director. Such permit shall be valid for no longer than one year but no additional permit shall be required within that period of time to import the same species of fish from the same source of supply. Five days' notification of each intent to import shall be filed with the executive director. [~~The fee for each such permit is $9.50.~~] ***The executive director shall set the fee for such permits pursuant to RSA 206:10, I.***

54 Fish and Game; Guide License. RSA 215:4 is repealed and reenacted to read as follows:

215:4 Fee for License. The executive director shall set the fees for resident and nonresident licenses to guide under this chapter pursuant to RSA 206:10, I.

55 Fish and Game; Guides. Amend RSA 215:5, II to read as follows:

II. ***Notwithstanding RSA 215:4,*** every resident 65 years of age or older who has been a licensed guide in this state for 5 or more years may obtain a license as a guide to fish or to hunt [~~not by payment of the fees prescribed in RSA 215:4, I and II but rather~~] by payment of only the cost of issuing said license as determined by the executive director.

56 Fish and Game Department; Licenses for Persons Over 65. RSA 214:7-a is repealed and reenacted to read as follows:

214:7-a Persons Over 68 Years of Age.

I. Any resident of this state who is 68 years of age or over may make application each year, to any authorized agent of the state for the sale of freshwater fishing, hunting, or trapping licenses, for a

special license to fish in freshwaters and hunt or trap, under the restrictions of this title. Such license may permit the use of a muzzle-loading firearm and bow and arrow. The executive director shall set the annual fee for the special license established in this section by rule pursuant to RSA 206:10, I. Said fee shall not exceed 50 percent of the regular resident license fee for fishing in freshwaters, hunting, or trapping. The license shall be marked in such manner as the executive director may designate.

II. Those individuals holding a special license under this section as of June 30, 2015 shall be exempt from the requirement to apply for said license annually. The special license held by these individuals shall remain effective for the remainder of each individual's life, as long as the individual remains a resident of the state, unless suspended or revoked by the executive director.

57 New Section; Fish and Game Department; Environmental Review Fees. Amend RSA 206 by inserting after section 33-e the following new section:

206:33-f Environmental Review Fees.

I. The executive director may charge a fee for the review of proposed projects which may adversely impact wildlife, including threatened or endangered species of wildlife, if such review is requested by a project developer, either public or private, regardless of whether such request is received before or after an application is submitted to any permitting agency.

II. The fees established by this section shall be designed to recover a reasonable portion of the costs of:

(a) Reviewing, assessing, and monitoring the impacts to wildlife of a proposed project;

(b) Reviewing and assessing research, sampling, or modeling protocols to be implemented either prior to or after the completion of a project; and

(c) Formulating recommendations designed to avoid, minimize, and/or mitigate any potential adverse impacts of a project on wildlife.

III. Fees shall be fixed in a schedule prepared and revised as necessary by the executive director, and established in rules adopted pursuant to RSA 541-A. Such schedule may differentiate among different classes of projects based on the intensity of the requisite review by the department.

IV. All moneys received under this section shall be deposited into the fish and game fund established under RSA 206:33 and used solely for the purposes set forth in RSA 206:34-a.

V. Receipt of the fees established by this section shall be a prerequisite for any environmental review undertaken by the department. Any permit or certificate dependent on the environmental review undertaken by the department shall be invalid until the fees assessed under this section are paid in full.

58 Forest Management and Protection Fund. Amend RSA 227-G:5, I(b) to read as follows:

(b) The forest management and protection fund shall be a nonlapsing fund administered by the treasurer of the state of New Hampshire. The fund shall be continually appropriated and expended at the discretion of the director of the division and the commissioner. Any funds in excess of that appropriated from the fund may be expended by the commissioner, with prior approval of the fiscal committee and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be derived from the proceeds of the sale of timber and other forest products from state-owned forestlands, [~~the amount of which shall be the difference between the total receipts from the sale of timber within any fiscal year and $150,000, the average annual stumpage receipt from the sale of timber from state forestlands for the period 1983-1992~~] ***less 13 percent which shall be deposited into the general fund***. Revenues shall also be derived from the lease of state-owned forestlands, or billable services provided by the division of forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be derived from administrative fines collected pursuant to RSA 227-J:1.

59 State Park Fund. RSA 216-A:3,-i II is repealed and reenacted to read as follows:

II. Any funds deposited into the state park account are hereby continually appropriated to and may be expended by the commissioner of the department of resources and economic development to cover budgeted appropriations provided the balance in the state park account does not go below $1.5 million and any transfer is reported to the governor and council and fiscal committee of the general court within 60 days.

60 Department of Resources and Economic Development; Transfer of Funds Authorized. The commissioner of the department of resources and economic development may transfer funds between and among the class line appropriations in the highway welcome centers (accounting unit 03-35-35-3520-5919) and may transfer funds between and among the class line appropriations in

the turnpike welcome centers (accounting unit 03-35-35-3520-1872) for the biennium ending June 30, 2017. The commissioner shall submit a report on a quarterly basis to the fiscal committee of the general court of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to transfers made under this section.

61 Department of Resources and Economic Development; Cannon Mountain. For each year of the biennium ending June 30, 2017, net revenue derived by the department of resources and economic development from fees, services, accommodations, rentals, revenue from lift and tramway operations, retail sales, and concession operations for Cannon Mountain shall be credited to the Cannon Mountain capital improvement fund established in RSA 12-A:29-c for use in paying debt service related to capital improvements for the ski area and related state park facilities at Cannon Mountain.

62 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2017:

I. RSA 167:3-c, III, relative to rulemaking for funeral expenses.

II. RSA 167:11, relative to funeral expenses to recipients of public assistance.

63 Department of Transportation; Transfer of Funds. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2017, the commissioner of transportation is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided if a transfer does not include new accounting units or expenditure classes, only transfers over $75,000 shall require prior approval of the fiscal committee of the general court.

64 New Paragraph; Salt Applicators; Rulemaking. Amend RSA 489-C:3 by inserting after paragraph V the following new paragraph:

VI. Establishing and collecting fees to cover the cost of program implementation ***with all fees collected to be deposited in the general fund.***

65 Veterans' Home; Reports. Amend RSA 119:13 to read as follows:

119:13 Reports. The board shall file with the secretary of state, the fiscal committee of the general court, and the commissioner of administrative services, on or before October 1 [~~and every 6 months thereafter~~], a report to the legislature, setting forth the operations and condition of the home, a detailed account of all moneys received and expended on its behalf since the last report, an estimate of the amount of money required for its uses before the meeting of the next legislature, and such other matters and recommendations as they shall think its interests require.

66 New Paragraph; Department of Information Technology; Statewide Standards and Protocols. Amend RSA 21-R:4 by inserting after paragraph XVII the following new paragraph:

XVIII. Establishing as necessary, after consultation with the information technology council, established under RSA 21-R:6, statewide standards and protocols for information technology, networks, and cyber security, which shall be adhered to by all executive branch agencies unless granted a waiver.

67 Department of Information Technology; Purchasing Policy. RSA 21-R:8-a is repealed and reenacted to read as follows:

21-R:8-a Purchasing Policy.

I. The department shall, in collaboration with the department of administrative services, establish standards for computer hardware, software, related licenses, media, documentation, support and maintenance services, and other related services. Agencies may purchase directly using contracts established by administrative services without approval from the chief information officer, or designee, subject to any limitations established by the chief information officer.

II. Prior to an agency's issuance of a solicitation for the purchase of computer hardware, software, related licenses, media, documentation, support and maintenance services, and other related services including a request for proposal, request for purchase, or other procurement documentation, the agency shall consult with and seek approval from the department of information technology.

III. The department of information technology, in consultation with the information technology council, shall annually review and set dollar, or other, limits for purchases and contracts that require approval from the chief information officer before proceeding.

IV. For purposes of this section, "agency" shall have the meaning defined in RSA 21-I:11, II(b), but shall not include those agencies exempt under RSA 21-I:18 from the provisions of RSA 21-I.

68 Repeal. RSA 21-I:11, I(a)(9), relative to approval by the chief information officer, is repealed.

69 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received in the fiscal years ending June 30, 2016 or June 30, 2017 from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.

70 Continuation of Appropriation Regarding Emergency Management. The sums appropriated pursuant to 2011, 223:1 as amended by 2013, 144:118 in accounting unit 02-23-23-236010-2740, class 244, state match public assistance, shall not lapse until June 30, 2017.

71 Department of Safety; Assistant Commissioners.

I. Upon the appointment of the second assistant commissioner under RSA 21-P:5, I, position 9U539 shall be abolished to allow for the transition of this unclassified position with its available appropriations into the unclassified position of assistant commissioner. Funding shall be in expenditure class 013, within accounting unit 02-23-23-231015-2300. The incumbent in the abolished unclassified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of assistant commissioner.

II. Paragraph I shall take effect upon the abolition of position 9U539, the funding and appropriations of the unclassified position and the initial appointment of the second assistant commissioner, as certified by the commissioner of safety to the director of legislative services.

72 Department of Safety; Assistant Commissioners. Amend RSA 21-P:5, I and II, to read as follows:

I. The commissioner of safety shall nominate [~~an~~] ***2*** assistant [~~commissioner~~] ***commissioners*** for appointment by the governor, with the consent of the council. [~~The~~] ***Each*** assistant commissioner shall serve a term of 4 years, coincident with that of the commissioner, and may be reappointed. The assistant commissioner shall be qualified to hold that position by reason of education and experience.

II. [~~The~~] ***Each*** assistant commissioner shall perform such duties as are assigned by the commissioner. [~~The~~] ***Either*** assistant commissioner shall assume the duties of the commissioner in the event that the commissioner is unable for any reason to perform such duties. The assistant commissioner shall be responsible for the operations of the bureau of hearings, and shall, subject to the supervision of the commissioner, exercise authority as required to ensure that the divisions and their directors are implementing the organizational goals and managing the work of the department in an effective manner.

73 New Chapter; Office of Substance Use Disorders and Behavioral Health. Amend RSA by inserting after chapter 12-N the following new chapter:

CHAPTER 12-O

OFFICE OF SUBSTANCE USE DISORDERS AND BEHAVIORAL HEALTH

12-O:1 Establishment; General Duties and Responsibilities.

I. There is established the office of substance use disorder and behavioral health within the office of the governor. The office of substance use disorder and behavioral health shall be under the supervision and direction of the governor or the governor's designee. The governor's designee shall be known as the senior director of the office of substance use disorder and behavioral health, and shall be appointed for a fixed term.

II. The office of substance use disorder and behavioral health shall:

(a) Coordinate state resources, state agency spending and budget proposals in the areas of mental health and substance abuse prevention and treatment.

(b) Propose solutions to the governor to reduce unnecessary duplication of state efforts and resources.

(c) Identify evidence-based treatment practices for substance use disorder services and work with state agencies to ensure quality delivery of such services.

(d) Encourage the coordination and correlation of state planning by agencies of state government.

(e) Participate in interstate, regional, and national planning efforts.

(f) Lead grant application efforts that assist in the state's efforts to address substance use disorders and other behavioral health challenges.

(g) Identify barriers to and gaps in New Hampshire's system of care.

(h) Serve as the governor's liaison to the governor's commission on alcohol, substance abuse prevention, treatment and recovery established in RSA 12-J:1.

(i) Perform such other duties as the governor may assign.

III. All state agencies and departments shall provide the office of substance use disorder and behavioral health such information and assistance as required by the office to fulfill its responsibilities. The office shall maintain the confidentiality of any information which is protected by law.

12-O:2 Coordination.

I. The office of substance use disorder and behavioral health shall formulate policies and plans for consideration by the governor which serve to integrate and coordinate resource and development activities affecting more than one state agency, level of government, or governmental function. Nothing in this paragraph shall be construed to grant the governor any additional authority to implement such plans beyond that which has been granted to him or her under the constitution and other laws of this state.

II. The senior director of substance abuse and mental health shall serve on the governor's commission on alcohol and substance abuse prevention, treatment and recovery.

74 New Paragraph; Governor's Commission on Alcohol and Substance Abuse Prevention, Treatment and Recovery; Membership. Amend RSA 12-J:1 by inserting after paragraph IV the following new subparagraph:

V. The senior director of the office of substance use disorder and behavioral health, or designee shall serve as the governor's liaison to the commission.

75 New Section; Departments; Electronic Credit Card Payments; Authorization to Administer. Amend RSA 21-G by inserting after section 6 the following new section:

21-G:6-a Electronic Credit Card Payments; Authorization to Administer. Notwithstanding other provision of law to the contrary, the head of any state agency or department and any authorized employee or agent of the head, may accept credit cards or debit cards for the online payment of any of the taxes, penalties, interest, or fees administered by such commissioner or collected by the department. The amount of any service charge collected shall be disclosed in advance of the transaction to the individual paying the tax, penalty or fee and shall be at a reasonable and customary rate approved in advance by the comptroller.

76 Filling Unfunded Positions; Authorization. Notwithstanding other provisions of law to the contrary, the head of any state agency or department may fill unfunded positions during the biennium ending June 30, 2017, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

77 Insect Pests and Plant Diseases; Pesticide Product Registration. RSA 430:38, III is repealed and reenacted to read as follows:

III.(a) The registrant shall pay an annual fee for each pesticide registered as follows:

(1) A restricted use pesticide.

(2) A general use pesticide, other than a specialty/household pesticide.

(b) The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the amount of the fees charged under subparagraph (a). Until such rules are adopted, the fees under subparagraph (a) shall be the same as the fees which were in effect on June 30, 2015.

78 Insect Pests and Plant Diseases; Integrated Pest Management Program. Amend RSA 430:50, II to read as follows:

II. There is established a nonlapsing fund to be known as the integrated pest management fund. [~~Ten~~] ***Twenty-five*** percent of the pesticide registration fees collected under RSA 430:38, III shall be deposited in the fund. The fund shall only be used to support the purposes of the integrated pest management program. The state treasurer may invest moneys in the fund as provided by law and all interest received on such investment shall be credited to the fund. The commissioner shall be authorized to accept grants, gifts, and donations from any public or private sources for deposit in the fund.

79 New Paragraph; Governor's Commission on Disability; Committee on Architectural Barrier-Free Design; Waivers. Amend RSA 275-C:15 by inserting after paragraph V the following new paragraph:

VI. Charge a non-refundable fee for any application for waiver request submitted under paragraph IV or V, which shall be payable to the governor's commission on disability. Each application for waiver request shall contain no more than 2 items to be reviewed for waiver. All fees shall be paid in advance with the application for waiver request. Any building or facility, as defined in RSA 275-C:10 II, shall not be subject to an application fee but shall file an application for waiver request as provided in this section.

80 New Paragraph; Governor's Commission on Disability; Rulemaking. Amend RSA 275-C:6 by inserting after paragraph VII the following new paragraph:

VIII. To adopt rules, pursuant to RSA 541-A, relative to:

(a) The application procedure for waiver requests.

(b) Information required on an application for waiver request.

(c) The fee for an application for waiver request.

(d) Other matters related to the administration of applications for waiver requests.

81 Governor's Commission on Disability; Application for Waiver Process. Amend RSA 275-C:15, IV to read as follows:

IV. Except as provided in paragraph V, grant waivers to an owner, an owner's agent or a lessee-in-possession***, pertaining only to places of public accommodation provided for in RSA 155:39-a,*** from specific requirements of the code for barrier-free design where, upon a clear and convincing showing, a compelling public interest is deemed to outweigh the state's interest in removing architectural barriers.

82 Repeal. 1899, 42, relative to the payment of a fee to university system of New Hampshire, is repealed.

83 Department of Revenue Administration; Administration and Enforcement Fee. Amend RSA 72-B:16 to read as follows:

72-B:16 Administration and Enforcement Fee. There shall be an administration and enforcement fee of $100 for each original notice of intent to excavate filed with the department. Such fee shall accompany the original intent to excavate and shall be deposited into [~~a revolving fund within the department to be used by the department for the administration and enforcement of this chapter and for the education of municipal officials regarding the chapter. It also may be used to educate state personnel responsible for the administration and enforcement of this chapter~~] ***the general fund***.

84 Tax Amnesty. Notwithstanding the provisions of any other law, with respect to taxes administered and collected by the department of revenue administration, an amnesty from the assessment or payment of all penalties and interest in excess of 50 percent of the applicable interest rate for the tax period shall apply with respect to unpaid taxes reported and paid in full during the period from December 1, 2015 through and including February 15, 2016, regardless of whether previously assessed. This amnesty shall only apply to taxes due but unpaid on or February 15, 2016.

85 Mandatory Penalties. On or after March 1, 2016, notwithstanding the provisions of any other law, the department or any administrative tribunal or court with jurisdiction, either in law or equity, shall have no discretion to waive, abate, reduce or remit, for good cause or any other reason, any penalties assessed with respect to taxes administered by the department, which taxes were due before December 1, 2015.

86 Appropriation. The sum of $50,000 is hereby appropriated to the department of revenue administration for the fiscal year ending June 30, 2016 to the following account for the purposes of outreach and other administration necessary for the implementation of the tax amnesty program: 01-084-8405-7884-102 contracts for program services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

87 Office of Energy and Planning; Establishment; General Duties and Responsibilities. Amend RSA 4-C:1, II to read as follows:

II. The office of energy and planning shall***, within the limits of resources of the agency***:

(a) [~~Plan~~] ***Participate in planning*** for the orderly development of the state and the wise management of the state's resources.

(b) Compile, analyze, and disseminate data, information, and research services as necessary to advance the welfare of the state.

(c) Encourage and assist planning, growth management, and development activities of cities and towns and groups of cities and towns with the purpose of encouraging smart growth.

(d) Encourage the coordination and correlation of state planning by agencies of state government.

(e) Participate in interstate, regional, and national planning efforts.

(f) Administer federal and state grant-in-aid programs assigned to the office by statute or executive order.

(g) Participate and advise in matters of land use planning regarding [~~water resources and~~] floodplain management.

(h) [~~Take a leadership role in encouraging~~] ***Encourage*** smart growth and [~~preserving~~] ***the preservation of*** farmland, open space land, and traditional village centers.

(i) Administer the following programs: [~~the statewide comprehensive outdoor recreation plan,~~] the national flood insurance program, [~~the land conservation investment program,~~] fuel assistance

contracts, and weatherization contracts. The office shall employ necessary personnel to administer these programs. In administering fuel assistance and weatherization contracts, the office shall ensure that when an individual applies for fuel assistance or weatherization, the individual shall be provided with application forms and information about the Link-Up New Hampshire and Lifeline Telephone Assistance programs, and shall be provided assistance in applying for these programs.

(j) Perform such other duties as the governor may assign.

88 Repeal. The following are repealed:

I. RSA 4-C:2, relative to office of energy and planning, state development plan.

II. RSA 4-C:3, relative to office of energy and planning, data and information services.

III. RSA 4-C:5, relative to office of energy and planning, rulemaking authority.

IV. RSA 4-C:6, relative to office of energy and planning, coordination.

V. RSA 4-C:8, III and IV, relative to office of energy and planning, responsibilities for assistance.

89 Office of Energy and Planning; Regional and Municipal Assistance; Program Established. Amend RSA 4-C:7 to read as follows:

4-C:7 Program Established. The director shall establish a program of regional and municipal assistance within the office of energy and planning. This program shall coordinate state, regional, and local planning efforts with the goal of [~~assuring~~] ***promoting*** delivery of efficient and effective assistance to local governments in areas related to growth management and resource protection.

90 Office of Energy and Planning; Responsibilities for Assistance. Amend RSA 4-C:8, I(c) to read as follows:

(c) Contributions to and coordination with statewide planning and management activities [~~, including the formulation and updating of the comprehensive state development plan prepared pursuant to RSA 4-C:2~~].

91 New Section; Fish and Game; Propagation of Fish and Game; Use of Lands. Amend RSA 212 by inserting after section 10-b the following new section:

212:10-c Conservation Easements. The executive director may monitor conservation easements and fee-owned conservation lands held by the state or by other entities. The executive director may accept funds and enter into agreements, contracts, or memoranda of understanding with the council on resources and development established under RSA 162-C:1, with other state agencies, or with other entities as necessary for the purpose of monitoring and overseeing conservation easements in this state.

92 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25 to read as follows:

78-A:25 Population Figures.

I. The [~~office of energy and planning~~] ***department of employment security*** is hereby directed to estimate annually the resident population for all cities and towns of the state as of July 1 of the preceding year and shall certify the same to the state treasurer on or before August 19 of each year.

II. For this section only the definition of resident, and therefore those persons who are to be included in estimate figures, will be the same as that adopted by the United States bureau of the census.

III. On or before April 30 of each year, the [~~office of energy and planning~~] ***department of employment security*** shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the [~~office of energy and planning~~] ***department of employment security*** on or before May 30 of the same year. After due consideration of such evidence, the [~~director of energy and planning~~] ***commissioner of the department of employment security*** shall determine the final components and resulting estimates.

IV. Municipalities dissatisfied with population estimates produced by the [~~office of energy and planning~~] ***department of employment security*** may, at their own expense, have a special census conducted under contract with the United States bureau of the census. The results of such a census shall serve as a basis for subsequent estimates made by the [~~office of energy and planning~~] ***department of employment security*** after said results are made available to the [~~office of energy and planning~~] ***department of employment security***.

93 State Energy Strategy. Amend the introductory paragraph of RSA 4-E:1, I to read as follows:

I. The office of energy planning, in consultation with the state energy advisory council established in RSA 4-E:2, with assistance from an independent consultant and with input from the public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall review the strategy and consider any necessary updates in consultation with the senate energy and natural

resources committee and the house science, technology and energy committee, after opportunity for public comment, at least every [~~3~~] ***5*** years starting in [~~2017~~] ***2019 within the limits of resources provided to the office***. The state energy strategy shall include, but not be limited to, sections on the following:

94 Repeal. The following are repealed:

I. RSA 9-A:1 through 9-A:4, relative to state development plan.

II. RSA 9-B:5, relative to state economic growth resource protection, and planning policy; procedures for review.

III. RSA 9-B:6, relative to state economic growth, resource protection, and planning policy; report to the general court and the governor.

IV. RSA 162-C:2, IX through XII, relative to council on resources and development, responsibilities.

95 Regional Planning Commission; General Powers and Duties. Amend RSA 36:47, III to read as follows:

III. [~~In preparing~~] A comprehensive plan for the development of the region [~~within its jurisdiction, each regional planning commission may use the framework for the state's comprehensive development plan in RSA 9-A:1, III as the basis for its plan. Such plan~~] shall be updated every 5 years or sooner if desired by the regional planning commission. Prior to its adoption, the plan shall be distributed to every library, planning board, and board of selectmen/aldermen/city council in each of the communities within the region, and to the office of energy and planning. The regional planning commission shall address in writing all comments received prior to the publication of a final draft. A public hearing shall be held by the regional planning commission with 30 days' notice published in all newspapers of general circulation in the region, and shall state where the document can be viewed, the time and place of the public hearing, and shall allow for written comments. For each regional plan, the office of energy and planning shall offer comments as to its consistency with the state plan. The first regional development plans affected by this statute shall be adopted within 5 years of the effective date of this paragraph and renewed at least every 5 years thereafter.

96 Regional Planning Commission; General Powers and Duties. Amend RSA 36:47, XII to read as follows:

XII. Facilitate coordination of state agencies to support local, regional, and state planning efforts [~~consistent with RSA 9-A:1-4~~].

97 Planning and Zoning; Enactment and Adoption Procedures; Place for Filing Documents; Reporting of Adoptions or Amendments. Amend RSA 675:9 to read as follows:

675:9 Place for Filing Documents; Reporting of Adoptions or Amendments. [~~A copy of each master plan, zoning ordinance, historic district ordinance, capital improvement plan, building code, subdivision regulation, historic district regulation, site plan review regulation or amendment which is adopted by a municipality shall be placed in a central file with the office of energy and planning; provided, however, that failure to file these documents or amendments with the office of energy and planning shall not affect the validity of the document.~~] Every municipality which adopts a master plan, zoning ordinance, historic district ordinance, capital improvement plan, building code, subdivision regulation or site plan review regulation or amendment thereto, shall inform the office of energy and planning of such adoption or amendment. The office of energy and planning is hereby authorized to gather this information by way of an annual survey of the municipalities or other such means as may be deemed appropriate. The office of energy and planning shall periodically create lists and reports of the information gathered for use by the municipalities and the general public.

98 Repeal. RSA 21-O:5-a, I(d), relative to wetlands council membership, is repealed.

99 Department of Environmental Services; Water Council. Amend RSA 21-O:7, I(b)(3) to read as follows:

(3) The director of parks and recreation, or designee; ***and***

(4) [~~The director of the office of energy and planning, or designee; and~~

~~(5)~~] The commissioner of safety, or designee.

100 Water Management and Protection; Rivers Management Advisory Committee; Establishment. Amend RSA 483:8, II to read as follows:

II. The [~~director of the office of energy and planning, the~~] executive director of the fish and game department, the commissioner of resources and economic development, the commissioner of the department of transportation, the commissioner of the department of safety, and the commissioner of the department of agriculture, markets, and food or their designees shall serve as nonvoting members of the committee.

101 Water Management and Protection; Lakes Management Advisory Committee. Amend RSA 483-A:6, III to read as follows:

III. The [~~director of the office of energy and planning, the~~] executive director of the fish and game department, the commissioner of resources and economic development, the commissioner of the department of safety, the commissioner of the department of agriculture, markets, and food, and the commissioner of the department of transportation, or their designees, shall serve as nonvoting members of the advisory committee.

102 Land Conservation Investment Program; Transfer of Personnel and Functions. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding of the land conservation investment program, including positions 42501 and 42502, shall be transferred to the fish and game commission on July 1, 2015. The transfer provided in this section shall include all of the all associated books, papers, records, personnel files, and equipment, including but not limited to work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

103 State Data Center; Transfer of Personnel and Functions. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding of the state data center, including position number 10014, shall be transferred to the department of employment security on July 1, 2015. The transfer provided in this section shall include all associated books, papers, records, personnel files, and equipment, including but not limited to work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

104 New Paragraph; Labor; Unemployment Compensation; Administrative Organization and Administration. Amend RSA 282-A:113 by inserting after paragraph III the following new paragraph:

IV. The commissioner of the department of employment security, through the economic and labor market information bureau, shall annually estimate the resident population for all cities and towns of the state pursuant to RSA 78-A:25; shall gather and maintain demographic and economic statistics for statewide planning purposes; and shall cooperate with the Bureau of the Census and other federal agencies with the objective of improving access to the statistical products, data, and information of the federal government.

105 Chapter Heading; Joint Board; Office of Professional Licensure and Certification. Amend the chapter heading preceding RSA 310-A:1 to read as follows:

CHAPTER 310-A

[~~JOINT BOARD OF~~] ***OFFICE OF PROFESSIONAL*** LICENSURE AND CERTIFICATION

106 Office of Professional Licensure and Certification. RSA 310-A:1 and 310-A:1-a are repealed and reenacted to read as follows:

310-A:1 Office of Professional Licensure and Certification; Purpose. The purpose of the office of professional licensure and certification is to promote efficiency and economy in the administration of the business processing, recordkeeping, and other administrative and clerical operations of professional licensing and certification boards, including both professional healthcare licensing and professional technical licensing. The individual licensing and certification boards that are organized under the office of professional licensure and certification have specialized knowledge and experience and are separate and distinct for the purpose of regulating their various professions. Notwithstanding the unique regulatory role of each board, the legislature finds that there are opportunities for improving efficiency and customer service by providing for the joint administration of the boards' administrative, clerical, business processing, and recordkeeping functions. Except as provided in this section, the licensing and certification boards and entities organized under the office of professional licensure and certification shall exercise the powers, duties, functions, and responsibilities granted by statute.

310-A:1-a Office of Professional Licensure and Certification; Division of Technical Professions and Division of Health Professions Established. There shall be an office of professional licensure and certification that shall consist of the division of technical professions and the division of health professions.

I. The division of technical professions shall consist of each of the boards, councils, and commissions of:

(a) Professional engineers under RSA 310-A:3.
(b) Architects under RSA 310-A:29.
(c) Land surveyors under RSA 310-A:55.
(d) Natural scientists under RSA 310-A:81.
(e) Foresters under RSA 310-A:100.
(f) Professional geologists under RSA 310-A:120.
(g) Landscape architects under RSA 310-A:142.
(h) Court reporters under RSA 310-A:163.
(i) Home inspectors under RSA 310-A:186.
(j) Accountants under RSA 309-B:4.
(k) Manufactured housing installers under RSA 205-D:2.
(l) Real estate appraisers under RSA 310-B:4.
(m) Electricians under RSA 319-C:4.
(n) Board of manufactured housing under RSA 205-A:25.
(o) Guardians ad litem under RSA 490-C:1.
(p) Family mediators under RSA 328-C:4.
(q) Real estate commission under RSA 331-A:5.

II. The division of health professions shall consist of each of the boards, councils, and commissions of:

(a) Hearing care providers under RSA 137-F:3.
(b) Examiners of nursing home administrators under RSA 151-A:3.
(c) Podiatry under RSA 315:1.
(d) Chiropractic examiners under RSA 316-A:2.
(e) Dental examiners under RSA 317-A:2.
(f) Registration of funeral directors and embalmers under RSA 325:2.
(g) Midwifery council under RSA 326-D:3.
(h) Licensed dietitians under RSA 326-H:7.
(i) Optometry under RSA 327:2.
(j) Naturopathic board of examiners under RSA 328-E:7.
(k) Licensed allied health professionals under RSA 328-F:3.
(l) Acupuncture licensing under RSA 328-G:3.
(m) Psychologists under RSA 329-B:3.
(n) Mental health practice under RSA 330-A:3.
(o) Licensing for alcohol and other drug use professionals under RSA 330-C:3.
(p) Electrologists under RSA 314:2-a.
(q) Body art practitioners under RSA 314-A.
(r) Ophthalmic dispensers under RSA 327-A:2.
(s) Reflexology, structural integrators, and Asian bodywork therapists under RSA 328-H:6.
(t) Massage therapists under RSA 328-B:5.
(u) Medicine under RSA 329:2.
(v) Nursing under RSA 326-B:3 and nursing assistant registry under RSA 326-B:26.
(w) Pharmacy under RSA 318:2 .
(x) Barbering, cosmetology, and esthetics under RSA 313-A:2.
(y) Mental health practice under RSA 330-A:3.
(z) Medical technicians RSA 328-A:2.

107 New Sections; Executive Director; Administration; Investigations. Amend RSA 310-A by inserting after section 1-a the following new sections:

310-A:1-b Executive Director of the Office of Professional Licensure and Certification.

I. The position of executive director of the office of professional licensure and certification shall be an unclassified employee of the state. The executive director shall be qualified by reason of professional competence, education, and experience. A vacancy shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

II. The current executive director of the joint board of licensure and certification shall become the first executive director of the office of professional licensure and certification, with a 4-year term beginning on July 1, 2015. Upon expiration of the term, or upon an earlier resignation, the governor shall appoint or re-appoint, with advice of council, an executive director for a 4-year term.

III. The salary of the executive director of the office of professional licensure and certification shall be as specified in RSA 94:1-a. The salary of the executive director shall be determined after assessment and review of the appropriate temporary letter grade allocation for the position for inclusion in RSA 94:1-a, I(b), which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. The governor is hereby authorized to transfer such funds appropriated to the boards, councils and committees identified in RSA 310-A:1-a as are necessary to pay the salary and benefits of the executive director.

V. The executive director of the joint board of licensure and certification serving on the effective date of this section shall become the executive director of the office of professional licensure and certification and shall serve a 4-year term beginning on July 1, 2015.

310-A:1-c Division Directors; Positions Transferred.

I. There is established in the office of professional licensure and certification 2 classified positions, at salary grade 35, of director of the division of technical professions and director of the division of health professions.

II. Every classified or unclassified state employee position authorized in the boards, councils, and commissions under RSA 310-A:1-a shall be transferred to the office of professional licensure and certification and subject to the supervisory authority of the executive director.

III. The authority granted to the executive director of the real estate commission under RSA 331-A:8, relative to the issuance and denial of licenses, hearing and procedures on denial of licenses, the hiring of clerical, administrative and investigative staff, maintenance of the official record, and implementation of a program for consumer education, is hereby transferred to the executive director of the office of professional licensure and certification.

IV. The unclassified position of executive director of the real estate commission shall be converted from an unclassified position to a similar classified position when the incumbent serving as the executive director of the real estate commission upon transfer to the office of professional licensure and certification vacates the position. Any funds appropriated for the compensation of the unclassified position of executive director of the real estate commission shall be used for compensation of the classified position at the office of professional licensure and certification.

310-A:1-d Administration of the Office of Professional Licensure and Certification.

I. The office of professional licensure and certification shall operate under the supervision of the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures for any purpose which are reasonably necessary, according to the executive director, for the proper performance of its duties under this chapter.

II. The executive director of the office of professional licensure and certification shall be responsible for:

(a) Supervision of the division directors;

(b) The performance of the administrative, clerical, and business processing responsibilities of the boards, commissions, and councils;

(c) Employment of such personnel needed to carry out the functions of the boards;

(d) The issuance of a license or certification to any applicant who has met the requirements for licensure or certification and denying a license or certification to applicants who do not meet the minimum qualifications;

(e) Maintenance of the official record of all applicants and licensees;

(f) Supervision, coordination, and assistance to the boards, commissions, and councils in rulemaking, pursuant to RSA 541-A; and

(g) Maintaining the confidentiality of information, documents, and files in accordance with RSA 91-A.

310-A:1-e Investigative Costs; Fees.

I. For any order issued in resolution of a disciplinary proceeding by any board or commission authorized under this title, where such board or commission has found misconduct sufficient to support disciplinary action, the board or commission may require the licensee, registrant, or certificate holder who is the subject of such finding to pay the board or commission a sum not to exceed the reasonable cost of investigation and prosecution of the proceeding. Except where otherwise limited, this sum shall not exceed $10,000. This sum may be imposed in addition to any otherwise authorized administrative fines levied by the board or commission as part of the penalty. The investigative and

prosecution costs shall be assessed by the board or commission and any sums recovered shall be credited for the use of the board or commission and disbursed by the board or commission for any future investigations of complaints.

II.(a) The executive director of the office of professional licensure and certification shall assess an annual license and renewal fee of either $55 or $150, or a biennial license and renewal fee of $110 or $300, for each professional regulatory board, council, or commission listed in subparagraph (b). The prescribed fees shall not apply to the board of dental examiners under RSA 317-A; the office of licensed allied health professionals under RSA 328-F; the board of mental health practice under RSA 330-A; or any other board, council, or commission subject to this chapter that has an established license or renewal fee set in statute as of the effective date of this section.

(b)(1) The board of hearing care providers under RSA 137-F:3.

(2) The board of examiners of nursing home administrators under RSA 151-A.

(3) The board of podiatry under RSA 315.

(4) The board of chiropractors examiners under RSA 316-A.

(5) The board of registration of funeral directors and embalmers under RSA 325.

(6) The midwifery council under RSA 326-D.

(7) The board of licensed dietitians under RSA 326-H.

(8) The board of registration in optometry under RSA 327.

(9) The naturopathic board of examiners under RSA 328-E.

(10) The board of acupuncture licensing under RSA 328-G.

(11) The board of psychologists under RSA 329-B.

(12) The board of licensing for alcohol and other drug use professionals under RSA 330-C.

(13) Electrologists under RSA 314.

(14) Body art practitioners under RSA 314-A.

(15) Ophthalmic dispensers under RSA 327-A.

(16) Reflexology, structural integrators, and Asian bodywork therapists under RSA 328-H.

(17) Massage therapists under RSA 328-B.

(c) If the license, certification, and renewal fees for a regulated profession are not established in statute as of the effective date of this section, the relevant board, commission, or council shall recommend the appropriate fee level to the executive director of the office of professional licensure and certification. The total of all such license, certification, and renewal fees shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses for the boards, commissions, and councils for the previous fiscal year.

III. Costs for the services provided by the office of professional licensure and certification under this section shall be reimbursed by the boards, commissions, and councils, with such costs allocated equitably, as determined by the executive director.

IV. Nothing in this section shall affect the authority of professional regulatory boards, commissions, and councils in the office of professional licensure and certification from exercising the powers, duties, functions, and responsibilities granted by statute.

108 Positions Transferred; Department of Information Technology; Health and Human Services.

I. Position 41197 in the department of information technology is hereby transferred to the office of professional licensure and certification including the transfer of all associated books, papers, records, personnel files, and equipment, including but not limited to work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

II. Position 14830 in the department of health and human services is hereby transferred to the office of professional licensure and certification created herein including the transfer of all associated books, papers, records, personnel files, and equipment, including but not limited to work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

109 Board of Manufactured Housing; Administrative and Processing Functions. RSA 205-A:29-a is repealed and reenacted to read as follows:

205-A:29-a Administrative and Business Processing Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

110 Manufactured Housing Installation Standards Board; Administrative and Processing Functions. RSA 205-D:3-a is repealed and reenacted to read as follows:

205-D:3-a Administrative and Business Processing Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

111 Board of Accountancy. Amend RSA 309-B:4, III - X to read as follows:

III.[~~(a)~~] Each member of the board shall be paid $100 for each day or portion of a day spent in the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in the discharge of official duties.

[~~(b) In addition to the amounts in subparagraph (a), the secretary-treasurer shall be compensated in an amount to be determined by the board, but not to exceed $5,000.~~]

IV. The board shall establish fees for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and certificates to practice under this chapter, for late renewals, for verification of licensure or examination, and for transcribing and transferring records and other services. All moneys collected by the board from fees authorized under this chapter shall be received and accounted for by the board, shall be deposited in the state treasury. Administration expenses shall be limited to the funds collected and may include, but shall not be limited to, the costs of conducting investigations and of taking testimony and procuring the attendance of witnesses before the board or its committees; all legal proceedings taken under this chapter for the enforcement of this chapter; and educational programs for the benefit of the public or licensees and their employees. [~~All fees prescribed by the board under prior law shall remain in effect until the board shall prescribe a new schedule of fees pursuant to RSA 541-A.~~]

V. The board shall file an annual report of its activities with the governor, the president of the senate, and the speaker of the house of representatives. The report shall include a statement of all receipts and disbursements and a listing of all current licensees under this chapter. The board shall mail a copy of the annual report to any person requesting it, upon payment of a reasonable charge.

VI. The board may employ [~~an executive director,~~] investigators[~~,~~] and such other personnel as it deems necessary ***through the office of professional licensure and certification*** for [~~administration and~~] enforcement under this chapter. It may appoint such committees or persons to advise or assist it in such [~~administration and~~] enforcement, as it may see fit. It may retain its own counsel ***retained through the office of professional licensure and certification*** to advise and assist it, in addition to such advice and assistance as is provided by the department of justice.

VII. The board shall have the power to take any action necessary and proper to carry out the purposes of this chapter, including the power to sue and be sued in its official name as an agency of this state; to issue subpoenas to compel the attendance of witnesses and the production of documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities in other states in investigations and enforcement concerning violations of this chapter and comparable laws of other states, and to receive evidence concerning all matters within its jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this state in requiring the attendance and testimony of witnesses and the production of documentary evidence. The board, its members, and its agents shall be immune from personal liability for actions taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board, its members, and its agents harmless from all costs, damages, and attorneys' fees arising from claims and suits against them with respect to matters to which such immunity applies.

VIII. The board shall adopt rules, pursuant to RSA 541-A, governing its administration, the enforcement of this chapter and the conduct of licensees. Such rules shall include, but not be limited to:

(a) Rules governing the board's meetings and conduct of its business.

(b) Rules of procedure governing the conduct of investigations and hearings by the board.

(c) Rules specifying the educational and experience qualifications required for all licensees, and the continuing professional education required for renewal of certificates or registrations.

(d) Rules of professional conduct directed to controlling the quality and integrity of the practice of public accountancy by licensees, including, but not limited to, matters relating to independence, integrity, objectivity, competence, technical standards, responsibilities to the public, and responsibilities to clients.

(e) Rules on substantial equivalency for implementation of RSA 309-B:6.

(f) Rules governing the manner and circumstances of use of the titles "certified public accountant", "CPA," "public accountant" and "PA."

(g) Rules regarding peer review as required under this chapter. Such rules shall include conduct and cost parameters to ensure that charges for the off-site peer review process are not excessive.

(h) The establishment of all fees required under this chapter.

(i) The establishment of administrative fines for violations of this chapter.

(j) Rules on how an applicant for certificate demonstrates good character.

(k) Rules for records retention, outsourcing disclosures, and the severance of connections.

IX. In accordance with RSA 541-A, the board shall publish notice of such proposed action and shall, in addition, notify all licensees.

X. All administrative, clerical, and business processing functions of the board shall be transferred to the [~~joint board of~~] ***office of professional*** licensure and certification, established in RSA 310-A:1[~~, on July 1, 2011~~] ***through RSA 310-A:1-e***.

112 Board of Professional Engineers. Amend RSA 310-A:8 to read as follows:

310-A:8 Receipts and Disbursements. The board may employ such investigators, [~~clerical, and other assistants as are necessary for the proper performance of its work~~] ***retained through the office of professional licensure and certification,*** and may make expenditures for [~~any purpose which is reasonably necessary for the proper performance of its duties under this subdivision, including~~] the reasonable expenses of the board's delegate to meetings of, and membership dues to, the National Council of Examiners for Engineering and Surveying (NCEES). The board may, with the approval of the attorney general, hire counsel and investigators ***through the office of professional licensure and certification*** and pay the reasonable expenses of such counsel and investigators for the investigation and prosecution of any violation of this subdivision.

113 Board of Professional Engineers. Amend RSA 310-A:25, II to read as follows:

II. The attorney general, or a designee, shall act as legal advisor to the board if the board so requests, and render such legal assistance as deemed necessary by the board in carrying out the provisions of this subdivision, provided that this responsibility shall not relieve the local prosecuting officers of any of their duties under the law. With the approval of the attorney general, the board may employ counsel and necessary assistance ***through the office of professional licensure and certification*** in carrying out the provisions of this subdivision. Reasonable compensation and expenses for counsel and legal assistance shall be paid from the funds of the board allocated for such purpose.

114 Rulemaking; Professional Engineers. Amend RSA 310-A:32, II to read as follows:

II. In adopting any rule under this section, the board [~~may~~] consult with the [~~joint board~~] ***office of professional licensure and certification*** established under RSA 310-A:1 ***through RSA 310-A:1-e***.

115 Professional Geologists. Amend RSA 310-A:123 to read as follows:

310-A:123 Receipts and Disbursements. The board may employ such investigators[~~, clerical assistants, and other assistants~~] as are necessary for the proper performance of its work ***retained by the office of professional licensure and certification*** and may make expenditures ***through the office of professional licensure and certification*** for any purpose which is reasonably necessary for the proper performance of its duties under this subdivision, including the reasonable expenses of the board's delegate to meetings and membership dues. The board may, with the approval of the attorney general, hire counsel and ***through the office of professional licensure and certification*** and pay the reasonable expenses of such counsel and investigators for the investigation and prosecution of any violation of this subdivision.

116 Board of Professional Geologists; Hearings; Appeals. Amend RSA 310-A:135, II to read as follows:

II. The attorney general, or a designee, shall act as legal advisor to the board if the board so requests, and render such legal assistance as deemed necessary by the board in carrying out the provisions of this subdivision. With the approval of the attorney general, the board may employ counsel and necessary assistance ***retained by the office of professional licensure and certification*** in carrying out the provisions of this subdivision. Reasonable compensation and expenses for counsel and legal assistance shall be paid from the funds of the board allocated for such purpose.

117 Real Estate Appraiser Board. RSA 310-B:4, X is repealed and reenacted to read as follows:

X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

118 Electrician's Board. RSA 319-C:4, IV is repealed and reenacted to read as follows:

IV. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

119 Board of Marital Mediator Certification. RSA 328-C:13 is repealed and reenacted to read as follows:

328-C:13 Board of Marital Mediator Certification Administrative Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

120 Real Estate Commission. Amend RSA 331-A:5, IX to read as follows:

IX. The [~~commission~~] ***office of professional licensure and certification*** shall make a biennial report to the governor and council on or before September 1 of each odd-numbered year. The report shall include an account of its actions, its receipts and expenses, the practical effects of the application of this chapter, and any recommendations for legislation.

X. All administrative, clerical, and business processing functions of the commission shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

121 Real Estate Commission; Qualifications for Licensure. Amend the introductory paragraph of RSA 331-A:10, I to read as follows:

I. The [~~executive director~~] ***commission, or designee,*** shall issue a salesperson's license to any applicant who:

122 Real Estate Commission; Qualifications for Licensure. Amend the introductory paragraph of RSA 331-A:10, II and subparagraphs II(a) and (b) to read as follows:

II. The [~~executive director~~] ***commission, or designee,*** shall issue a broker's license to any applicant who:

(a) Has attained the age of 18;

(b) Has successfully completed an examination administered or approved by the commission which demonstrates satisfactory knowledge and understanding of the principles of real estate practice. The [~~executive director~~] ***commission, or designee,*** shall only accept for licensure, an applicant who shows proof of completion of 60 hours of approved study which shall have been completed prior to the date of the applicant's examination;

123 Guardian ad Litem Board. RSA 490-C:7 is repealed and reenacted to read as follows:

490-C:7 Administrative Functions. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

124 Board of Medicine; Medical Review Subcommittee. Amend RSA 329:17, V-a to read as follows:

V-a. A medical review subcommittee of 11 members shall be nominated by the board of medicine and appointed by the governor and council. The subcommittee shall consist of one member of the board of medicine and 10 other persons, 3 of whom shall be public members, one of whom shall be a physician assistant, and 6 of whom shall be physicians. Any public member of the subcommittee shall be a person who is not, and never was, a member of the medical profession or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of medical services or an activity directly related to medicine, including the representation of the board or profession for a fee at any time during the 5 years preceding appointment. The terms of the public members shall be staggered so that no 2 public members' terms expire in the same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions reported to the board under paragraphs II-V of this section, except that matters concerning a medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not be reviewed until the grievance process has been completed. Following review of each case, the subcommittee shall make recommendations to the board. Funds shall be appropriated from the general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this section. The board shall employ ***through the office of professional licensure and certification*** a physician as a medical review subcommittee investigator who shall serve at the pleasure of the board. The salary of the medical review subcommittee investigator shall be established by RSA 94:1-a.

125 Board of Medicine; Investigations. Amend RSA 329:18, II to read as follows:

II. The board ***through the office of professional licensure and certification*** may retain expert witnesses or other qualified persons to assist with any investigation or adjudicatory proceeding. Members of the board are not eligible for retainment. The board may also retain special legal counsel in instances when recommended by the attorney general. To the extent the board's existing appropriation does not

include funds covering such expenditures, the board ***through the office of professional licensure and certification*** may request the governor and council to expend funds not otherwise appropriated on the condition that such funds be recovered in the board's next budget at the rate of 125 percent.

126 Board of Medicine; Accounts. Amend RSA 329:19 to read as follows:

329:19 Accounts. The [~~board~~] ***office of professional licensure and certification*** shall keep a full and true record of all fees received and all sums actually paid for expenses, and at the end of each year shall account to the governor and council.

127 Office of Licensed Allied Health Professionals; Governing Boards. Amend RSA 328-F:3 to read as follows:

328-F:3 Governing Boards Established; Board of Directors; Office of Licensed Allied Health Professionals.

I. There shall be established governing boards of athletic trainers, occupational therapists, recreational therapists, respiratory care practitioners, physical therapists, speech-language pathologists, and genetic counselors.

II. The governing boards' chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall[~~, subject to the rules adopted by the director of the division of personnel, have authority to establish and fill a supervisory position at labor grade 21 and technical and clerical positions to run the office's business in an efficient manner, and to~~] contract for the services of investigators and legal counsel ***retained through the office of professional licensure and regulation***. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.

III. There shall be an office of licensed allied health professionals established in Concord ***within the office of professional licensure and regulation***. [~~It shall be an administratively attached agency, under RSA 21-G:10, to the department of health and human services. In addition, the board shall be subject to the provisions of RSA 126-A:10-a.~~]

128 Office of Allied Health Professionals; Responsibilities of the Board of Directors. Amend RSA 328-F:12 to read as follows:

328-F:12 Responsibilities of the Board of Directors.

I. [~~The board of directors shall be responsible for preparing and submitting the biennial budget, setting fees, and allocating appropriated funds to each governing board.~~

~~II.~~] Annually, the [~~board of directors~~] ***office of professional licensure and certification*** shall submit to the governor a report of the transactions of the preceding year and a complete statement of the receipts and expenditures of the boards.

[~~III.~~] ***II.*** The board of directors shall meet at least quarterly and more often if needed.

[~~IV.~~] ***III.*** The board of directors shall provide a forum for practice issues arising in the allied health professions, but shall not set policy for the governing boards.

[~~V.~~] ***IV.*** The [~~board of directors~~] ***office of professional licensure and certification*** shall receive and account for all moneys taken in by the governing boards pursuant to their respective practice acts, and shall pay such moneys to the state treasurer to be deposited into the general fund.

129 Office of Allied Health Professionals; Investigations and Disciplinary Proceedings. Amend RSA 328-F:24, IV(a) and (b) to read as follows:

(a) Retain qualified experts who are not members of the governing board ***through the office of professional licensure and certification***.

(b) Retain legal counsel when authorized to do so by the attorney general ***through the office of professional licensure and certification***.

130 Board of Nursing. Amend RSA 326-B:3, IX - XII to read as follows:

IX. The governor may remove any member from the board for neglect of any duty under RSA 326-B:4 or for incompetence or unprofessional or dishonorable conduct. Any person may file a complaint against a board member with the [~~department of health and human services~~] ***office of professional licensure and certification***. The provisions of RSA 4:1 controlling the removal of public officials from office shall be followed in dismissing board members.

X. All members of the board and its agents or employees shall enjoy immunity from individual civil liability while acting within the scope of their duties as board members, agents, or employees, as long as they are not acting in a wanton or reckless manner.

XI. Board meetings shall be open to the public. In accordance with RSA 91-A:3, the board may conduct part of a meeting in nonpublic session.

[~~XII. The board shall be administratively attached, under RSA 21-G:10, to the department of health and human services.~~]

131 Board of Nursing; Expenditures. Amend RSA 326-B:6 to read as follows:

326-B:6 Collection and Expenditure of Funds. The [~~board~~] ***office of professional licensure and certification*** shall receive and expend funds provided such funds are received and expended for the pursuit of the objectives authorized by this chapter. Fees, fines, and administrative charges, including those related to RSA 326-B:26, shall be deposited in the general fund.

132 Board of Nursing; Investigations. Amend RSA 326-B:38, II to read as follows:

II. The board may appoint legal counsel, health care advisors, or other investigators ***retained through the office of professional licensure and certification*** to assist with any investigation and with adjudicative hearings.

133 Board of Pharmacy; Reports. Amend RSA 318:11 to read as follows:

318:11 Reports. The [~~board~~] ***office of professional licensure and certification*** shall file with the governor and council, on or before December 1 biennially, a report upon the condition of pharmacy in the state and containing a record of their acts and proceedings.

134 Board of Pharmacy; Investigatory Powers. Amend RSA 318:30, II to read as follows:

II. The board may appoint legal counsel, technical advisors or other investigators ***retained through the office of professional licensure and certification*** to assist with any investigation and with adjudicatory hearings.

135 Board of Barbering, Cosmetology, and Esthetics; Receipts. Amend RSA 313-A:5 to read as follows:

313-A:5 Receipts and Their Disposition. All moneys received [~~by the board~~] under this chapter shall be [~~paid to the secretary of the board, who shall give a receipt therefor and shall at the end of each month report to the commissioner of administrative services the total amount of money received and thereupon and~~] ***accounted for by the office of professional licensure and certification, and shall be*** deposited the same with the state treasurer.

136 Board of Barbering, Cosmetology, and Esthetics; Duties. Amend RSA 313-A:7, I to read as follows:

I. The board shall:

(a) Prescribe the duties of its officers and employees[~~, which shall be at all times subject to the direction and supervision of the department of health and human services~~];

(b) Establish [~~a principal~~] an office***, within the office of professional licensure and certification*** at which all records and files of the board shall be kept;

137 Board of Barbering, Cosmetology, and Esthetics; Inspectors. Amend RSA 313-A:21, I and II to read as follows:

I. The [~~department of health and human services~~] ***office of professional licensure and certification*** shall employ inspectors and authorize them to enter and make reasonable examination and inspection of any salon, barbershop, or school during business hours for the purpose of ascertaining whether or not the administrative rules of the board and the provisions of this chapter are being observed. Each inspector shall file a report with the board of such findings with respect to each inspection made. Salaries and necessary expenses of the inspectors shall be charged against the fees and other moneys collected by the board.

II. The [~~commissioner of the department of health and human services shall, with the advice of the~~] board[~~,~~] ***shall*** adopt rules relative to the qualifications for inspectors under this section.

138 Dental Board; Investigatory Powers. Amend RSA 317-A:4, I(d) to read as follows:

(d) To obtain legal counsel, investigators, and such other assistance as may be required; to make contracts and arrangements for the performance of administrative and similar services; and to establish compensation therefor ***through the office of professional licensure and certification***.

139 Dental Board; Receipts. RSA 317-A:5 is repealed and reenacted to read as follows:

317-A:5 Report; Receipts. The office of professional licensure and certification shall make a biennial report of the board's proceedings to the governor and council in October, and all fees and fines received shall be accounted for by the office of professional licensure and certification, and shall be deposited in the state treasury.

140 Dental Board; Investigations. Amend RSA 317-A:18, II to read as follows:

II. The board may retain legal counsel, dental advisors or other investigators ***through the office of professional licensure and certification*** to assist with any investigation and with adjudicatory hearings.

141 Dental Board; Disposal of Fines Amend RSA 317-A:35 to read as follows:

317-A:35 Disposal of Fines. All fines imposed and collected under this chapter shall be paid by the court or justice to the [~~executive director of the board~~] ***office of professional licensure and certification***.

142 Dental Board; Office Amend RSA 317-A:36 to read as follows:

317-A:36 Location of Office. The office of the New Hampshire state board of dental examiners shall be located in the [~~bureau of dental public health, department of health and human services~~] ***office of professional licensure and certification***.

143 Board of Mental Health Practice; Receipts and Disbursements. RSA 330-A:11 is repealed and reenacted to read as follows:

330-A:11 Receipts and Disbursements. All monies derived from the provisions of this chapter shall be received and accounted for by the office of professional licensure and certification and shall be deposited in the state treasury.

144 Board of Mental Health Practice; Records and Reports. Amend RSA 330-A:13, II, to read as follows:

II. Biennially, as of October 1, the[~~board~~] ***office of professional licensure and certification*** shall submit to the governor a report of the transactions of the preceding biennium, and shall also transmit a complete statement of the receipts and expenditures of the board.

145 Board of Mental Health Practice; Investigations and Complaints. Amend RSA 330-A:28, II to read as follows:

II. After determining the nature and scope of an investigation or hearing, the board may employ or retain hearing officers, legal counsel, medical advisors, mental health advisors, or investigators ***through the office of professional licensure and certification*** to assist with that investigation or hearing. Members of the board are not eligible for retention.

146 Board of Podiatry; Investigations and Preliminary Hearings. Amend RSA 315:10, II to read as follows:

II. The board may appoint legal counsel, podiatric advisors or other investigators ***retained through the office of professional licensure and certification*** to assist with any investigation and with adjudicatory hearings.

147 Board of Nursing Home Administrators. Amend RSA 151-A:14 to read as follows:

151-A:14 Authorization. In order to provide necessary funds for training courses for nursing home administrators, the state treasurer is authorized to establish a revolving fund within the [~~department of health and human services~~] ***office of professional licensure and certification*** in sums sufficient to carry out this provision, such funds to be reimbursed in full by federal matching funds and by tuition charges to the nursing home administrators taking such training courses.

148 Board of Chiropractic Examiners; Income. RSA 316-A:8 is repealed and reenacted to read as follows:

316-A:8 Income. All moneys collected by the board from fees authorized under this chapter shall be received and accounted for by the office of professional licensure and certification, and shall be deposited in the state treasury.

149 Board of Chiropractic Examiners; Report. Amend RSA 316-A:10 to read as follows:

316-A:10 Report. The secretary-treasurer shall file with the governor and council biennially and in such form as the governor and council may prescribe, such information as is necessary to maintain in the [~~department of health and human services~~] ***office of professional licensure and certification*** a current record of rules of the board of chiropractic examiners affecting the issuance of licenses.

150 New Paragraph; Electrologists; Definitions. Amend RSA 314:1 by inserting after paragraph IV the following new paragraph:

V. "Executive director" means the executive director of the office of professional licensure and certification.

151 References Changed; Electrologists; Executive Director. Amend the following RSA provisions by replacing "commissioner" with "executive director": 314:2, 314:2-a, 314:3, 314:5, 314:6, 314:7, 314:8, 314:9, 134:10, I, 314:13.

152 Embalmers and Funeral Directors. Amend RSA 325:33, II(a) and (b) to read as follows

(a) The board may appoint technical advisors or other investigators to assist with any investigation or adjudication, and may, with the approval of the attorney general, appoint legal counsel ***retained through the office of professional licensure and certification*** for such purposes.

(b) To the extent the board lacks budgeted funds to conduct a significant investigation or adjudication, it may, with the approval of the attorney general, petition governor and counsel to receive funds not otherwise appropriated in order to retain professional advisors [~~in the proceeding~~] ***retained through the office of professional licensure and certification.***

153 New Paragraph; Ophthalmic Dispensing; Definitions. Amend RSA 327-A:1 by inserting after paragraph VI the following new paragraph:

VI-a. "Executive director" means the executive director of the office of professional licensure and certification.

154 References Changed; Ophthalmic Dispensing; Executive Director. Amend the following RSA provisions by replacing "commissioner" with "executive director": the introductory paragraph of 327-A:5, 327-A:5, VI, 327-A:6, 327-A:7, 327-A:12, 327-A:15, 327-A:17.

155 Ophthalmic Dispensing; Duties of Executive Director. Amend RSA 327-A:5, VII to read as follows:

VII. Reporting to the governor and council [~~and to the commissioner of the department of health and human services~~] annually on the activities conducted under this chapter.

156 Ophthalmic Dispensing. Amend RSA 327-A:14 to read as follows:

327-A:14 Renewal of Registration; Continuing Education. Certificates of registration issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the commissioner. Certificates of registration for ophthalmic dispensing shall be renewed upon the payment of the renewal fee and the completion of 8 credits of continuing education during the previous 2-year period. Any national, regional, or state optical company, trade, or professional group is authorized to sponsor continuing education programs approved by the American Board of Opticianry, the National Contact Lens Examiners, or the commissioner. The [~~commissioner or the deputy commissioner of the department of health and human services~~] ***executive director*** shall authorize continuing education programs which contribute to the advancement, extension, or enhancement of the professional skills and the technical knowledge of opticians.

157 Naturopathic Board; Powers. Amend RSA 328-E:8, I(d) to read as follows:

(d) Maintain an accurate account of all receipts, expenditures and refunds granted under this chapter ***through the office of professional licensure and certification.***

158 Naturopathic Board; Administration. Amend RSA 328-E:15 to read as follows:

328-E:15 Administration. The [~~commissioner of the department of health and human services~~] ***executive director*** shall provide administrative services to the board created under this chapter. All administrative services shall be a cost to the board and shall be reimbursed by fees collected by the board under RSA 328-E:8, I(a).

159 Board of Hearing Care Providers. Amend RSA 137-F:21, III to read as follows:

III. The board may appoint legal counsel, audiology experts, hearing aid dealer experts, hearing officers, or other investigators ***retained through the office of professional licensure and certification*** to assist with any investigation or with adjudicatory hearings.

160 Board of Acupuncture. Amend RSA 328-G:8 to read as follows:

328-G:8 Disposition of Receipts. All moneys received by the board under this chapter shall be [~~paid to the administrator of the board, who shall give a receipt therefor and shall, at the end of each month, report to the commissioner of the department of health and human services the total amount of money received and deposit it~~] ***deposited*** with the state treasurer ***through the office of professional licensure and certification.***

161 Board of Acupuncture; Duties. Amend RSA 328-G:11 I(c), to read as follows:

(c) Maintain an accurate account of all receipts, expenditures, and refunds granted under this chapter ***through the office of licensure and certification.***

162 Board of Licensure for Alcohol and other Drug Use Professionals. Amend RSA 330-C:3, XII to read as follows:

XII. The governor may remove any member from the board for neglect of any duty under RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a complaint against a board member or board members with the [~~commissioner of the department of health and human services~~] ***executive director of the office of professional licensure and certification.*** Upon receipt of a complaint, the commissioner shall conduct an investigation and take any appropriate action and report his or her findings to the complainant. The provisions of RSA 4:1 controlling the removal of public officials from office shall be followed in dismissing board members.

163 Advisory Board of Massage Therapists. RSA 328-B:2, IV is repealed and reenacted to read as follows:

IV. "Executive director" means the executive director of the office of professional licensure and certification.

164 References Changed; Massage Therapists; Executive Director. Amend the following RSA provisions by replacing "commissioner" with "executive director": 328-B:4, 328-B:5.

165 Advisory Board of Massage Therapists. Amend RSA 328-B:11-a to read as follows:

328-B:11-a Administrative Fines. The [~~commissioner of the department of health and human services~~] ***executive director of the office of professional licensure and certification***, after notice and opportunity for hearing, pursuant to rules adopted under RSA 541-A, may impose an administrative fine not to exceed $2,000 for each offense upon any person who violates any provision of this chapter or rules adopted pursuant to it. Rehearings and appeals from a decision of the [~~commissioner~~] ***executive director*** shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties or administrative actions under this chapter. The [~~commissioner~~] ***executive director*** shall adopt rules in accordance with RSA 541-A relative to administrative fines which shall be scaled to reflect the scope and severity of the violation. The sums obtained from the levying of administrative fines under this chapter shall be forwarded to the state treasurer to be deposited into the general fund.

166 Board of Psychologists. Amend RSA 329-B:22, III to read as follows:

III. After determining the nature and scope of an investigation or hearing, the board may employ or retain hearing officers, legal counsel, medical advisors, psychologist advisors, or investigators ***through the office of professional licensure and certification*** to assist with that investigation or hearing. Members of the board are not eligible for retention.

167 New Paragraph; Advisory Board of Reflexology, Structural Integration, and Asian Bodywork Therapy; Definitions. Amend RSA 328-H:2 by inserting after paragraph IV the following new paragraph:

IV-a. "Executive director" means the executive director of the office of professional licensure and certification established under RSA 310-A:1 through RSA 310-A:1-e.

168 References Changed; Advisory Board of Reflexology, Structural Integration, and Asian Bodywork Therapy; Executive Director. Amend the following RSA provisions by replacing "commissioner" and "department" with "executive director": 328-H:2, I, 328-H:2, VII, 328-H:4, 328-H:5, 328-H:6, 328-H:7, 328-H:8, 328-H:9, 328-H:10, 328-H:11, 328-H:12, 328-H:15, 328-H:16, 328-H:17.

169 Repeals. The following are repealed:

I. RSA 126:10-a, relative to the health and human services office of professional licensing.

II. RSA 310-A:61, relative to expenditures by the board of land surveyors.

III. RSA 331-A:2, V, relative to definition of executive director of the real estate commission.

IV. RSA 331-A:6, relative to administrative attachment of the real estate commission.

V. RSA 331-A:7, I, relative to appointment of the executive director of the real estate commission.

VI. RSA 331-A:8, relative to powers of the executive director of the real estate commission.

VII. RSA 326-B:4, XI and XII, relative to staff and executive director of the board of nursing.

VIII. RSA 326-B:5, relative to administration by the executive director of the board of nursing.

IX. RSA 318:2-a, relative to administrative attachment of the pharmacy board.

X. RSA 318:9, relative to administrative duties of the pharmacy board.

XI. RSA 313-A:2, VI, relative to administrative attachment of the board of barbering, cosmetology and esthetics.

XII. RSA 317-A:2, relative to administrative attachment of the dental board.

XIII. RSA 330-A:5, relative to administrative attachment of the board of mental health practice.

XIV. RSA 327:2, IV and V, relative to administrative attachment of the board of optometry.

XV. RSA 315:1-a, relative to administrative attachment of the board of podiatry.

XVI. RSA 151-A:3, IV, relative to administrative attachment of the board of nursing home administrators.

XVII. RSA 316-A:2, relative to administrative attachment of the board of chiropractic examiners.

XVIII. RSA 314:1, I and II, relative to definitions under electrolysis regulation.

XIX. RSA 325:2, IV, relative to administrative attachment of the board of funeral directors and embalmers.

XX. RSA 325:10, relative to duties of the secretary of the board of funeral directors and embalmers.

XXI. RSA 327-A:1, V and VI, relative to definitions under the ophthalmic dispensers board

XXII. RSA 328-E:7, VII, relative to administrative attachment of the naturopathic board of examiners.

XXIII. RSA 328-E:8, II, relative to personnel of the naturopathic board of examiners.

XXIV. RSA 328-E:11, relative to rulemaking by the naturopathic board of examiners.

XXV. RSA 137-F, VIII, relative to administrative attachment of the board of hearing care providers.

XXVI. RSA 328-G:4, relative to administrative attachment of the board of acupuncture.

XXVII. RSA 328-G:11, V and VI relative to rulemaking by the board of acupuncture.

XXVIII. RSA 326-D:3, III, relative to administrative attachment of the midwifery council.

XXIX. RSA 326-D:10, II, relative to administrative services of the midwifery council.

XXX. RSA 330-C:4, relative to administrative attachment of the board of licensure for alcohol and other drug use professionals.

XXXI. RSA 330-C:5, IX, relative to assistants of the board of licensure for alcohol and other drug use professionals

XXXII. RSA 330-C:5, XI, relative to reports of the board of licensure for alcohol and other drug use professionals.

XXXIII. RSA 326-H:7, relative to administrative attachment of the board of licensed dieticians.

XXXIV. RSA 329-B:5, relative to administrative attachment of the board of psychologists.

XXXV. RSA 328-H:2, III and IV, relative to definitions for the advisory board of reflexology, structural integration, and Asian bodywork therapy.

XXXVI. RSA 328-I:1, II and III, relative to definitions for the board of registration of medical technicians.

XXXVII. RSA 328-I:2, IV, relative to the administrative attachment of the board of registration of medical technicians.

170 Department of Resources and Economic Development; Reporting Requirements.

I. The commissioner of the department of resources and economic development may meet its reporting obligations, notwithstanding any law to the contrary as set forth in statute, by making such changes in its current reporting processes as may be necessary or desirable for the efficient, streamlined, and cost-effective delivery of a consolidated department report and division reports provided annually as required by statute while maintaining transparency to citizens. This may include the elimination of the use of some reports as identified to avoid redundancy of information provided that may be contained in one or more of each through this consolidated reporting process. Such annual consolidated department and division reports shall incorporate information from the following reports.

(a) The department of resources and economic development advisory commission report provided biennially to the governor and council under RSA 12-A:6.

(b) The department's energy efficiency report provided quarterly to the department of administrative services state's energy manager under executive order 2005-4.

II. Such annual consolidated division of economic development report shall incorporate and consolidate information contained in the following reports:

(a) The division of economic development's economic development program loans and grants report provided annually to the public under RSA 12-A:33.

(b) The division of economic development advisory committee on international trade report provided annually to the general court and governor under RSA 12-A:30, I (f).

(c) The office of workforce opportunity job training program for economic growth report provided annually to the general court, fiscal committee of the general court, governor and council, and the commissioner of department of employment security under RSA 12-A:58, I.

(d) The division of forests and lands mining and reclamation report provided annually to the governor and council under RSA 12-E:2, VI.

(e) The division of forests and lands report provided biennially to the governor under RSA 227-G:3, I (i).

(f) The division of parks and recreation community recreation service report provided annually to the division director under RSA 12-B:3, X.

(g) The Monadnock advisory commission report, a commission administratively assigned to the division of parks and recreation, provided annually to the member communities under RSA 227-D:5, VII.

(h) The division of parks and recreation Cannon season pass sales report provided quarterly to the general court, fiscal committee of the general court, and governor and council under RSA 227:14.

(i) The division of parks and recreation Hampton Beach capital improvement fund report provided annually to the fiscal committee of the general court and governor and council under RSA 216:3, IV (b);

(j) The division of parks and recreation's financial report provided annually to the general court and governor and council under RSA 216-A:3-e, III.

(k) The Hampton Beach area commission report, a commission administratively assigned to the division of parks and recreation, provided annually to the general court and governor and council under RSA 216-J:3, VIII.

(l) The division of parks and recreation's state of the parks and historic sites report provided annually to the general court under RSA 216-A:3-c, VI.

(m) The state park system advisory council report, a council administratively assigned to the division of parks and recreation, provided annually to the general court, governor and council, and state library under RSA 216-A:3-k, VI (f).

(n) The division of parks and recreation Cannon Mountain package plan programs report provided quarterly to the general court, fiscal committee of the general court, and governor and council under RSA 12-A:15, II.

(o) The division of parks and recreation Cannon capital improvement fund report provided annually to the fiscal committee of the general court and governor and council under RSA 12-A:29-c, III.

(p) The Wentworth Coolidge commission report, a commission administratively assigned to the division of parks and recreation, provided annually to the general court and governor and council under executive order 1989-10.

(q) The division of parks and recreation bureau of trails report provided annually to the general court and state library under RSA 215-A:3, IX and RSA 215-C:2, X.

(r) The division of parks and recreation Connecticut Lakes Headwaters tract report provided annually to the general court, the governor and council, and the state library under RSA 216:8, IV, RSA 216:9, V, and RSA 216:11, IV.

(s) The division of travel and tourism revolving fund report provided annually to the fiscal committee of the general court and the governor and council under RSA 12-A:15-a.

(t) The division of travel and tourism development fund provided annually to the general court, governor and council, and state library under RSA 12-A:43-a, II.

III. The annual consolidated department report and division reports shall be delivered electronically to the speaker of the house of representatives, senate president and fiscal committee of the general court, and to the governor and council, by January 31 of each year. The department shall electronically post its annual consolidated report on the department website by January 31 of each year for review by all other parties as required by statute.

171 Issuance of Reports. RSA 20:7 is repealed and reenacted to read as follows:

20:7 Issuance of Reports.

I. All agencies and departments of the state shall issue biennial reports summarizing their operations. All reports shall cover periods ending on June 30, and be posted to the state transparency website, with one paper copy submitted to the state library by October 1. Biennial reports shall cover periods ending in odd-numbered years beginning with 2015. State agencies and departments shall make every effort to limit or eliminate the production of paper reports. The governor and council, speaker of the house of representatives, and the senate president shall be notified by letter that a report is available on the state transparency website.

II. Agencies and departments may post other required reports to their Internet website and the state transparency website in lieu of other methods of distribution, and shall notify by letter all persons or committees required by law to receive such reports of the reports' availability on the state transparency website.

III. The governor's commission on disability established in RSA 275-C shall be exempt from the provisions of this section but shall comply with the reporting requirements in RSA 275-C:6.

IV. The lottery commission's comprehensive annual financial report prepared pursuant to RSA 21-I:8, II(b) shall meet the requirements of this section.

172 Department of Environmental Services; Milfoil and Other Exotic Aquatic Plants. Amend RSA 487:29 to read as follows:

487:29 Milfoil and Other Exotic Aquatic Plants Prevention; Grant Fund Report and Budget. The department of environmental services shall submit [~~an annual~~] ***a biennial*** report, beginning

on January 1, 2004, to the speaker of the house, president of the senate, and the governor and council which shall include, but not be limited to, a description of prevention and research projects funded by the milfoil and other exotic aquatic plants prevention program and the extent of aid to municipalities or subdivisions of the state, non-profit corporations, and research institutions.

173 Telecommunications Equipment Assistance Program; Annual Report. Amend RSA 362-E:7 to read as follows:

362-E:7 Annual Report. The governor's commission on disability shall file a report which shall include the number of persons assisted, all sources of funding, and the total amount disbursed under this chapter. Such report shall be submitted annually to the governor and council, the senate president, the speaker of the house and the [~~science, technology and energy committee~~] ***public utilities commission***, on or before October 1.

174 Water Pollution and Waste Disposal; Duties of the Department. Amend RSA 485-A:4, XIV to read as follows:

XIV. To formulate a policy relating to long-term trends affecting the purity of the surface waters or groundwaters of the state. Insofar as practicable and necessary, a continuing program of sampling and subsequent chemical or biological analysis, or both, shall be conducted to establish patterns and reveal long-term trends to serve as a basis for formulating such policy. In conducting said program of sampling and analysis, the department is authorized to accept any assistance as may be proffered by persons that the department deems to be qualified. [~~The department shall make a biennial report of its findings to the governor and council, the senate environment committee, and the house resources, recreation, and development committee.~~] The department shall provide proper warning to the public by posting a sign indicating where water quality standards are not being attained as they relate to specified designated uses.

175 Water Pollution and Waste Disposal; Duties of the Department. Amend RSA 485-A:4, XVI-c(a) to read as follows:

XVI-c.(a) To design and implement a program for state or independent third party sampling and testing of sludge or biosolid materials that are intended for land application. The department shall design the sampling methodology, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, to provide a statistical evaluation of the contaminant levels contained in sludge or biosolids. The department shall concentrate its testing on those contaminants that pose greater risks to public health and the environment due to their toxicity, potential availability, concentration levels, or concentration uncertainty. The department shall maintain a database of testing results and prepare, in consultation with university of New Hampshire statisticians and sludge and biosolid experts, and make available to the public and the general court, [~~an annual~~] ***a biennial*** report by November 1 of each year which analyses the compiled test results, including data from prior years, as appropriate. The analysis shall detail contaminant concentrations on both a statewide and generator level and shall indicate the statistical degree of certainty in the results of the analysis. The department shall attempt to present the report in terms that are understandable to the layperson including practical examples such as the probability that any given load of untested sludge exceeds a contaminant standard.

176 Aquatic Resource Compensatory Mitigation; Report. Amend RSA 482-A:33 to read as follows:

482-A:33 Report. The department shall submit [~~an annual~~] ***a biennial*** report 60 days after the close of each ***odd-numbered*** fiscal year, to the fiscal committee of the general court, the chairperson of the house resources, recreation and development committee, and the chairperson of the senate environment and wildlife committee summarizing all receipts and disbursements of the aquatic resource compensatory mitigation fund, including a description of all projects undertaken and the status of the administrative assessment account. Each report shall be in such detail with sufficient information to be fully understood by the general court and the public. After submission to the general court, the report shall be available to the public.

177 Unemployment Compensation; Duties and Powers. Amend RSA 282-A:112, I to read as follows:

I. It shall be the duty of the commissioner of the department of employment security to administer this chapter. [~~He~~] ***The commissioner*** shall have power and authority to adopt, amend, or rescind rules, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. The commissioner shall determine his ***or her*** own organization and methods of procedure in accordance with the provisions of this chapter. Not later than the thirtieth day of June of each year, the commissioner shall submit to

the governor a report covering the administration and operation of this chapter during the preceding calendar year and shall make such recommendations for amendments to this chapter as he ***or she*** deems proper. Such reports shall include a balance sheet of the moneys in the fund in which there shall be provided, if possible, a reserve against the liability in future years to pay benefits in excess of the then current contributions, which reserve shall be set up by the commissioner in accordance with accepted actuarial principles on the basis of statistics of employment, business activity, and other relevant factors for the longest possible period. ***Such report shall satisfy the requirements of RSA 20:7 and the department shall not be required to submit a separate biennial report.*** Whenever the commissioner believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, [~~he~~] ***the commissioner*** shall promptly so inform the governor and the legislature and make recommendations with respect thereto.

178 New Hampshire Employment Program and Family Assistance Program; Work Participation Rates. Amend RSA 167:77-a, II to read as follows:

II. The department shall submit a report to the oversight committee for health and human services, established in RSA 126-A:13, relative to actions taken to increase the work participation rate reported to the federal Department of Health and Human Services. The department also shall provide the oversight committee with an estimate of whether the state shall meet the federal requirements for each federal fiscal year by [~~July~~] ***January*** 15 of that fiscal year.

179 New Hampshire Employment Program and Family Assistance Program; Outcome Measurement System. Amend RSA 167:77-c, IV-V to read as follows:

IV. The department shall establish an outcome measurement system with the following areas of analysis:

(a) [~~The job retention and earnings gain indicators using the same methodology as the TANF high performance measures.~~

~~(b)~~] The number and percent of cash assistance recipients who close each month due to employment, the average hourly, weekly, and monthly wages, the average total weekly and monthly total income, the number and percent who return to cash assistance after 3, 6, and 12 months.

[~~(c) The extended earnings of families who leave TANF due to employment.~~

~~(d) Numbers and percentages of families who leave TANF due to employment and stay employed.~~

~~(e) Numbers and percentage of families who increase their earnings after leaving TANF.~~

~~(f)~~] ***(b)*** Numbers and percentages of TANF families that leave TANF and ranking of their income compared to the federal poverty level and the [~~NH~~] ***New Hampshire*** living wage.

[~~(g) Poverty and child poverty rates and out of wedlock births and the national ranking of New Hampshire.~~

~~(h) The impact of TANF policies on local assistance based on data requested by the oversight committee and as reported by the New Hampshire Local Welfare Administrators Association.~~

~~(i) The reasons for caseload increases and decreases with analysis of numbers and reasons for openings, denials, and closings and the numbers and reasons for sanctions and denials due to noncompliance with program requirements.~~

~~(j) Any other measures selected by the department or the oversight committee on health and human services which shows TANF performance in moving families out of poverty.~~]

V. The department shall develop and maintain the indicators for the program outcomes listed in paragraph IV, subject to review and approval by the oversight committee on health and human services. The department shall submit a report to the oversight committee each [~~June and December~~] ***January***.

180 New Hampshire Employment Program and Family Assistance Program; Career Ladder Initiatives. Amend RSA 167:77-f, II to read as follows:

II. The department shall report its progress to the oversight committee on health and human services in [~~June and December of each year beginning with December 2007~~] ***January***.

181 Long-Term Care; Program Management and Cost Controls. Amend RSA 151-E:11, II to read as follows:

II. For the fiscal year beginning July 1, 2003, and each fiscal year thereafter the average annual cost for the provision of services to persons in the mid-level of care shall not exceed 60 percent of the average annual cost for the provision of services in a nursing facility. The average annual cost for the provision of services in home-based care shall not exceed 50 percent of the average annual cost for the provision of services to persons in a nursing facility. No person whose costs would

be in excess of 80 percent of the average annual cost for the provision of services to a person in a nursing facility shall be approved for home-based or mid-level services without the prior approval of the commissioner of health and human services. The prior approval shall include a comparison of the mid-level or home-based care costs of the person with the costs of a facility qualified to provide any specialized services necessary for the proper care and treatment of the individual. The department shall provide a report [~~semi-annually~~] on the utilization of non-nursing home services to the county-state finance commission and the legislative fiscal committee ***when such information is provided to the Centers for Medicare and Medicaid Services.***

182 Department of Health and Human Services; Rate Setting for Home Health Services. Amend RSA 126-A:18-a, III to read as follows:

III. The commissioner shall make [~~an annual report on or before November 1,~~] ***a biennial report*** relative to the rates for home health services, to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate finance committees.

183 Workers' Compensation; Reports of the Commissioner. Amend RSA 281-A:61 to read as follows:

281-A:61 Reports of the Commissioner.

I. The commissioner shall make a report to the governor, by October 1 of each odd-numbered year, showing the work done during the preceding 2 fiscal years. The report shall include a properly classified statement of department expenses, statistical information relating to the number and character of industrial accidents during such 2 years and such other information and recommendations as the commissioner deems pertinent. The report shall be printed as part of the commissioner's biennial report.

II. The commissioner shall make a workplace safety and injury report, which shall be submitted with the report required under paragraph I, to the governor and the legislature. The report shall provide statistical information pertaining to the nature, character and severity of industrial accidents, injuries, and illnesses in New Hampshire and information pertaining to the department's and employers' efforts in the area of safety promotion and accident prevention. [~~The statistical information related to workplace injuries shall be compiled from data gathered directly by the department through the required injury reports filed by employers.~~] This report shall include, but not be limited to, the types and frequency of reported injuries; [~~a breakdown and analysis of the types and size of industries, and~~] the job classifications from which such injuries have been reported; [~~the average length of disability;~~] a report of employer compliance with RSA 281-A:64; the annual listing of best and worst performers as prepared by the commissioner under the provisions of RSA 281-A:64; a report of all departmental activities required under RSA 281-A:65; specific recommendations for improved workplace safety promotion and injury prevention; and any other such information and recommendations pertaining to workplace injuries and injury prevention as the commissioner deems appropriate. [~~The report shall also include the same information for certified managed care programs and shall include information relative to the number of employees and the number of hearings of claimants participating in each certified managed care program.~~]

184 State Liquor Stores; Closing of State Stores. Amend RSA 177:2 to read as follows:

177:2 Closing of State Stores.

I. The commission may close any state liquor store to improve profitability and efficiency. In determining net operating profit or loss, the commission shall adhere to generally accepted accounting principles for both revenues and expenses and shall include an allocation for indirect costs. All information regarding a decision to close any state liquor store shall be made available, by the commission, to the public upon request. The commission shall provide public notice 30 days prior to closing any state liquor store. The commission shall submit a [~~semi-annual~~] report of state liquor store closings to the fiscal committee of the general court ***when store closings occur.***

II. In order to properly reflect the operating expenses of each state store, the commission shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the commission. All such expenses of the commission, with the exception of the enforcement and licensing division operating expenses, shall be included in the plan and allocated to all state stores on a consistent, rational basis. [~~The indirect cost allocation plan for each fiscal year shall be submitted to the fiscal committee and the governor and council for approval, no later than 3 months before the start of each fiscal year.~~] ***No later than 3 months prior to the closing of any state liquor store, the commission shall submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council for approval.***

185 Horse and Dog Racing; Report of the Commission. Amend RSA 284:21-g to read as follows:

284:21-g Report of the Commission. The commission shall make an annual report to the governor [~~in accordance with RSA 20:7,~~] including therein an account of its actions, receipts derived under the provisions of this subdivision, the practical effects of the application thereof, and any recommendation for legislation which the commission deems advisable. ***Such report shall be submitted on or before February 1 and the commission shall not be required to submit a separate report under RSA 20:7.***

186 Disposal of State-Owned Vehicles Based on Non-Business Use. Amend RSA 21-I:19-h, I-IV to read as follows:

I. Each agency, as defined in RSA 21-G:5, III, shall report [~~quarterly~~] ***biennially*** to the department of administrative services the total miles and total nonbusiness miles traveled by each state-owned motor vehicle, including, but not limited to, use of vehicles for commuting between an employee's home and regular place of business. This section shall not apply to vehicles used for the purposes of law enforcement. This section shall be interpreted so as not to conflict with federal Internal Revenue statutes or regulations and shall not relieve an agency or its employees from nonwage fringe benefit reporting requirements for nonbusiness use of state-owned motor vehicles.

II. By August 1, 2011, each agency shall review the utilization of all vehicles which are assigned to the agency to determine if nonbusiness use for any vehicle exceeds 15 percent of the total miles traveled by that vehicle for the preceding fiscal year. By August 1 of each ***odd-numbered*** year after 2011, each agency shall conduct the same review using the percentage of nonbusiness use miles adjusted by the vehicle utilization committee.

III. Each agency shall, by August 15, 2011, report to the commissioner in writing all vehicles which are determined to have nonbusiness use exceeding 15 percent of the total miles traveled by that vehicle for the preceding fiscal year. Each agency shall, by August 15 of each ***odd-numbered*** year after 2011, report to the commissioner in writing all vehicles which are determined to have nonbusiness use miles exceeding the percentage adjusted by the vehicle utilization committee.

IV. The commissioner shall, by October 1, 2011 and each October 1 ***in an odd-numbered year*** thereafter, submit a report to the governor and council and to the fiscal committee of the general court identifying all vehicles which he or she has been advised have nonbusiness use exceeding the applicable percentage of total miles traveled by that vehicle for the preceding ***2*** fiscal [~~year~~] ***years***.

187 State Trust Funds; Reporting. Amend RSA 11:5-b to read as follows:

11:5-b Reporting.

I. The state treasurer shall report annually or more often as required by the trust fund administrators or the terms of the trust instrument to the administrator on the financial activities of the respective trust fund.

II. The state treasurer shall keep appropriate bookkeeping records, showing on an annual basis the amount of each trust fund and the profits and income allocable to each trust. [~~A copy of such records shall be approved annually by the governor and council and filed with the director of charitable trusts who serves under the supervision of the attorney general under RSA 7:20.~~]

III. Trust fund administrators shall report on the use of state trust funds and the income received thereon pursuant to the requirements of RSA 7:28 and provide a copy of such reports to the governor and council.

188 Investment and Debt Management; Duties of Office. Amend RSA 6-B:2, V to read as follows:

V. Evaluate revenue projections for each proposed revenue bond issue [~~and report findings to the governor and the capital budget overview committee~~].

189 Controlled Drug Act; Drug Asset Forfeiture Guidelines Required. Amend RSA 318-B:17-e to read as follows:

318-B:17-e Drug Asset Forfeiture Guidelines Required. The department of justice shall adopt and maintain drug asset forfeiture guidelines. The attorney general shall submit the guidelines and any proposed amendments to such guidelines to the house judiciary and family law committee and to the senate judiciary committee for review and comment [~~at least as often as annually~~] ***whenever amendments to the guidelines are proposed***. The attorney general shall submit any proposed amendments to the guidelines for legislative review and comment prior to their becoming effective.

190 State Solid Waste Plan and Report. Amend RSA 149-M:29, I and the introductory paragraph of RSA 149-M:29, II to read as follows:

I. Beginning October 1, 1998, and every [~~6~~] ***10*** years thereafter, the department shall update the state's solid waste plan.

II. [~~At least every October 1 of every year~~] ***No later than October 1, 2015 and by October 1 of every fifth year thereafter***, the department shall prepare a report on the level of achievement in reaching the 40 percent diversion goal established in RSA 149-M:2 and on proposed strategies for achieving the goal and any proposed changes to the goal. The report shall contain information regarding:

191 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, III to read as follows:

III. The council shall consult with and advise the director of the division of air resources with respect to the policy, programs, goals and operations of the division, with particular emphasis on long-range planning for the division and on education of the public relative to the functions of the division, on a continuing basis. In order to accomplish said purposes, the council shall meet with the director not less frequently than quarterly, or at the call of the chairman or 3 council members. [~~The council shall file annually a report of its deliberations and recommendations with the commissioner of the department of environmental services and the governor and council.~~]

192 Pollution Prevention; Duties of Coordinator. Amend RSA 21-O:18, VI to read as follows:

VI. Prepare a [~~biennial~~] report ***every 4 years to submit*** to the governor and council, the legislature and the committee on environment and agriculture on the department's efforts to integrate and promote pollution prevention concepts, the fiscal aspects of such efforts, and specific cases of successful and unsuccessful pollution prevention resulting from the implementation of this subdivision.

193 Diseases of Domestic Animals; Report. Amend RSA 436:4 to read as follows:

436:4 Report. The commissioner shall, [~~between September 1 and October 31 of each year, make~~] ***within its biennial report pursuant to RSA 20:7, submit*** a written report to the governor and council, stating in detail the work done during the preceding [~~year~~] ***2 years***.

194 Animal Population Control; Program Established. Amend RSA 437-A:2 to read as follows:

437-A:2 Program Established. The department shall establish and implement an animal population control program. The purpose of this program shall be to reduce the population of unwanted and stray dogs and cats by encouraging the owners of dogs and cats to have them permanently sexually sterilized, thereby reducing potential threats to public health and safety from mid-Atlantic rabies and other sources. The program shall not begin operation until June 1, 1994. The commissioner shall [~~make an annual~~] report relative to the progress of the program beginning on September 1, 1994, to the president of the senate, the speaker of the house and the governor ***within its biennial report pursuant to RSA 20:7***.

195 Standards for Weights and Measures; Duties of the Commissioner. Amend RSA 438:7, VII to read as follows:

VII. The commissioner shall biennially make to the governor a report on all of the activities under this chapter ***within its biennial report pursuant to RSA 20:7***.

196 Standards for Weights and Measures; Duties of the Commissioner. Amend RSA 438:7, IX to read as follows:

IX. The commissioner shall [~~make an annual~~] ***within its biennial report pursuant to RSA 20:7,*** report [~~on October 1 of each year~~] to the house and senate committees on executive departments and administration and to the house and senate clerks including the number of consumer complaints, the number of inspections, and the number of audits during the prior fiscal year for meters, scales, and other devices.

197 Beekeeping and Maple Honey Products; Report. Amend RSA 429:6 to read as follows:

429:6 Report. The inspector shall render [~~annually on or before July 1~~] a full and complete report of his work. This report shall be included in and made a part of the report of the commissioner, ***within the biennial report pursuant to RSA 20:7***.

198 Insect Pests and Plant Diseases; Board Responsibility and Authority. Amend RSA 431:31, VI to read as follows:

VI. File a report [~~annually~~] ***within the biennial report pursuant to RSA 20:7,*** with the senate president and speaker of the house of representatives, for distribution to all state legislators, regarding the policies and goals of the board and the enforcement of this subdivision.

199 Pesticides Training Program. Amend RSA 430:31-b, III to read as follows:

III. The department of agriculture, markets, and food shall***, within its biennial report pursuant to RSA 20:7,*** submit [~~an annual~~] ***a*** report[~~, beginning on July 1, 2002,~~] to the speaker of the house, president of the senate, and the governor and council which shall include, but not be limited to, training and educational programs offered or contracted by the division of pesticide control under the training program established by paragraph I of this section, the revenue generated from the program under paragraph II of this section, and the budget and revenue projections of the division.

200 Agriculture Nutrient Management Program. Amend the introductory paragraph of RSA 431:36, II to read as follows:

II. The commissioner shall [~~report by October 1 of each year, beginning 2002,~~], ***within the biennial report pursuant to RSA 20:7, report*** to the house environment and agriculture committee, the senate environment committee, the house finance committee, and the senate finance committee. The report shall include:

201 Waiver in Lieu of Court Appearance; Default. Amend RSA 262:44, VIII to read as follows:

VIII. The commissioner of the department of safety shall [~~make an annual report 60 days after the close of each fiscal year~~] ***within its biennial report pursuant to RSA 20:7, report*** to the fiscal committee of the general court on fines and fines in default, paid and unpaid[~~, for each year beginning with 1993~~].

202 Driver Education; Reciprocity. Amend RSA 263:20 to read as follows:

263:20 Driver Education; Reciprocity. The provisions of RSA 263:19 shall not prevent the issuance of a driver's license to any individual who can provide satisfactory evidence of completion of a course of driver education, approved by the state in which the course is offered, provided that the commissioner of safety shall determine that such course is essentially equivalent to the state's minimum standards. The commissioner shall take all reasonable steps to facilitate appropriate interstate driver education. The commissioner shall ***include in its report pursuant to RSA 20:7, a*** report [~~at least annually~~] to the general court on the progress of reciprocal driver education.

203 Public and Congregate Mooring Fields; Permit Required. Amend RSA 270:67, II(d) to read as follows:

(d) Operators in charge of maintaining congregate mooring fields may charge no more for the use of a mooring than an amount which reasonably covers the costs of mooring installations and maintenance. Said charges shall be reported to the division of state police [~~who shall submit an annual report to the governor and council and the general court on all congregate mooring fields~~].

204 Fish and Game Commission; Biennial Report to the General Court. Amend the introductory paragraph of RSA 206:9-a, I to read as follows:

I. The executive director of the fish and game department shall, [~~not later than October 1 of each odd-numbered year~~] ***within its biennial report pursuant to RSA 20:7***, submit a report to the governor and council and to the general court to include: a summary report of department proceedings; a description of the license fee reductions, waivers, and promotion activities pursuant to RSA 214:9-f; and recommendations for changes in the fee structure for all licenses and permits issued by the department. This report shall include consideration of:

205 Propagation of Fish and Game; Reasonable Price. Amend RSA 212:8 to read as follows:

212:8 Reasonable Price. The executive director, with the approval of the governor and council, may pay a fair and reasonable price for waters, lands or rights therein with or without buildings, required for the establishment of fish hatcheries, game farms, game refuges and fish and game department uses for the protection, regulation and management of wildlife resources and the implementation of department programs. The executive director, subject to the approval of the governor and council, may expend for the purchase of land, waters or rights therein during any year only such total sum as may be appropriated therefor. The executive director shall, ***within its biennial report pursuant to RSA 20:7,*** make a report [~~during the month of January in the years that the legislature is in session~~] of all lands, waters or rights therein so acquired since the last report to the senate president and the speaker of the house.

206 Propagation by the State; Accounts. Amend RSA 212:23 to read as follows:

212:23 Accounts. The executive director shall keep an itemized account of all such sales or exchanges, and include the same in his biennial report to the governor and council ***pursuant to RSA 20:7***, and shall remit to the state treasurer all money received under the provisions of this subdivision, to be credited to the fish and game fund.

207 Expansion of State Park System; Development Plan. Amend RSA 216-A:3-c, VI to read as follows:

VI. The director of parks and recreation shall report to the house resources, recreation and development committee and the senate energy, environment, and economic development committee [~~by January 31 of each year~~] ***within the biennial report pursuant to RSA 12-A:6*** on the state of the parks and historic sites.

208 Repeal. The following are repealed:

I. RSA 9-E:5, relative to department of transportation reporting on roadway lighting.

II. RSA 21-H:8, IX, relative to an annual report on department of corrections operations.

III. RSA 235:23-a, IV, relative to an annual report on the bridge and highway betterment program.

IV. RSA 339-F:6, VII, relative to the state fire marshal's report on certification of reduced ignition propensity cigarettes.

V. RSA 483:13, IV, relative to a report on the rivers management and protection fund.

VI. RSA 486-A:9, II(f), relative to a report on the water supply and land grant program.

VII. RSA 167:77-b, II, relative to an department of health and human services on TANF performance.

VIII. RSA 167:77-d, relative to a department of health and human services report on TANF diversion.

IX. RSA 126-I:2, V, relative to a report on the osteoporosis prevention and education program.

X. RSA 103:11, III, relative to a report on the administration of the policemen's retirement fund.

XI. RSA 102:12, III, relative to a report on the administration of the firemen's retirement fund.

XII. RSA 167:96, relative to the treasurer's certification of funds available in the long-term care assistance fund.

XIII. RSA 367:46, relative to a report on railroad stock.

XIV. RSA 432:20, II, relative to a report by the agricultural lands preservation committee.

XV. RSA 432:6, relative to a report on soil conservation and the domestic allotment act.

XVI. RSA 9-C:10, relative to a report on state waste reduction and recycling.

XVII. RSA 6:17, relative to a report by the state treasurer.

XVIII. RSA 6:43, relative to a report on the New Hampshire excellence in higher education endowment fund.

XIX. RSA 425:13, relative to a report by the department of agriculture, markets and food.

XX. RSA 485:3-d, relative to a report on the status of the environmental site assessment review and groundwater management programs.

XXI. RSA 219:21, relative to the inventory account report.

XXII. RSA 284:11, relative to a report by the racing and charitable gaming commission.

XXIII. 2006, 240:9, relative to department of transportation financial reports.

XXIV. 2006, 277:4, II, relative to a report on insurance company redomestications.

XXV. 2013, 155, relative to department of justice reports on collection of arrearages for mitigation of flooding.

XXVI. 2013, 143, accounting unit 04-96-96-960515-3005, class note 030, relative to a department of transportation status report to the capital budget overview committee.

209 Department of Agriculture, Markets, and Food; Assistant State Veterinarian; Position Established. There is established within the department of agriculture, markets, and food the unclassified position of assistant state veterinarian. The assistant state veterinarian shall be qualified to hold that position by reason of education and experience, and shall be appointed by and serve at the pleasure of the commissioner of agriculture, markets, and food. The assistant state veterinarian shall assist the state veterinarian in carrying out the duties of the department of agriculture, markets, and food, division of animal industry. The salary of the assistant state veterinarian shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be transferred into a new expenditure class 011, within accounting unit 27000000.

210 New Sections; Agriculture, Horticulture and Animal Husbandry; Assistant State Veterinarian; Powers; Salary and Expenses. Amend RSA 436 by inserting after section 9 the following new sections:

436:9-a Appointment. The commissioner of agriculture, markets, and food shall appoint a graduate of a veterinary college of recognized standing, who shall have had at least 5 years' experience in the practice of veterinary medicine, including large animal practice, and who shall be known as the assistant state veterinarian.

436:9-b Powers. The assistant state veterinarian, under the direction of the commissioner and state veterinarian, shall assist the state veterinarian with the enforcement of this chapter and any other law over which the division has regulatory authority. The state veterinarian may direct the assistant state veterinarian to act for him or her in an official capacity whenever he or she may be absent from his or her duties.

436:9-c Salary and Expenses. The assistant state veterinarian shall receive the annual salary prescribed by RSA 94:1 - RSA 94:4, and shall be allowed his or her expenses when away from the office of the department on official business.

211 New Subparagraph; Insect Pests and Plant Diseases. Amend RSA 430:31, IV by inserting after subparagraph (y) the following new subparagraph:

(z) Establish late fees pursuant to registration certificates and permits issued pursuant to RSA 430:33 and pesticide product registrations issued pursuant to RSA 430:36.

212 New Subparagraph; Standards for Weights and Measures; Rulemaking Authority. Amend RSA 438:8, I by inserting after subparagraph (l) the following new subparagraph:

(m) The imposition of late fees for all invoices that are late for service technician and weighmaster license fees, device license fees, and metrology laboratory fees, pursuant to the following schedule:

(1) For all invoices that are more than 60 days late from the date of the invoice, a 5 percent late fee shall be assessed for all invoices over $100.

(2) For all invoices that are more than 60 days late from the date of the invoice, a $5.00 minimum late fee shall be assessed for all invoices under $100.

(3) For all invoices that are more than 90 days late from the date of the invoice, a 10 percent late fee shall be assessed for all invoices over $100.

(4) For all invoices that are more than 90 days late from the date of the invoice, a $10 minimum late fee shall be assessed for all invoices under $100.

213 Standards for Weights and Measures; Fees for Licensing Commercial Devices. Amend RSA 438:10-a to read as follows:

438:10-a Fees for Licensing Commercial Devices.

I. The following annual device license fees shall be charged for the following categories:

[~~I.~~]*(a)* Scales 100 pounds or less, $18 each;

[~~II.~~]*(b)* Scales over 100 pounds to 2,000 pounds, $27 each;

[~~III.~~]*(c)* Scales over 2,000 pounds to 5,000 pounds, $54 each;

[~~IV.~~]*(d)* Non-vehicle scales over 5,000 pounds, $90 each;

[~~V.~~]*(e)* Vehicle scales, $180 each;

[~~VI.~~]*(f)* Lift truck/forklifts, on board weighing systems/scales, $90 each;

[~~VII.~~]*(g)* On board weighing systems/scales, refuse or recyclable materials collection trucks, $90 each;

[~~VIII.~~]*(h)* Analytical balances, $36 each;

[~~IX.~~]*(i)* Retail motor fuel dispensers, except liquefied petroleum gas and natural gas dispensers, $18 per meter;

[~~X.~~]*(j)* Liquefied petroleum gas retail motor fuel dispensers, $54 per meter;

[~~XI.~~]*(k)* Natural gas retail motor fuel dispensers, $54 per meter;

[~~XII.~~]*(l)* Liquid vehicle tank meters, except liquefied petroleum gas and natural gas meters, $54 per meter;

[~~XIII.~~]*(m)* Liquid bulk storage meters, $90 per meter;

[~~XIV.~~]*(n)* Liquefied gas meters, $90 per meter;

[~~XV.~~]*(o)* Taxi meters, $27 per meter; and

[~~XVI.~~]*(p)* Linear and cordage measures, $18 per meter.

II. An additional invoice for fees that are more than 60 days late may assess a minimum late fee pursuant to rules adopted by the commissioner.

214 New Paragraph; Sale of Pets and Disposition of Unclaimed Animals. Amend RSA 437:5 by inserting after paragraph III the following new paragraph:

IV. The rules shall establish late fees pursuant to licenses issued pursuant to RSA 437:3.

215 Nurseries and Nursery Stock; Rulemaking Authority. Amend RSA 433:22, VII to read as follows:

VII. Reasonable rules as may be needed to carry out and enforce the provisions of this subdivision ***including but not limited to the imposition of late fees.***

216 Animal Care, Breeding and Feed. Amend the introductory paragraph of RSA 435:25 to read as follows:

435:25 Rulemaking. The commissioner may adopt such rules for commercial feeds and pet foods as are specifically authorized in this subdivision and such other reasonable rules as may be necessary for the efficient enforcement of this subdivision***, including but not limited to the assessment of late fees***. In the interest of uniformity, the commissioner shall by rule adopt, unless he determines that they are inconsistent with the provisions of this subdivision and are not appropriate to conditions which exist in this state, the following:

217 Standards for Farm Products; Rulemaking; Fees. Amend RSA 426:8 to read as follows:

426:8 Rulemaking; Fees. The commissioner may adopt rules, pursuant to RSA 541-A, for carrying out the provisions of this chapter***, including but not limited to the assessment of late fees.***

218 New Paragraph; Horticultural Growing Media; Registration and Labeling; Rulemaking. Amend RSA 433-A:5 by inserting after paragraph IV the following new paragraph:

V. Establishing late fees pursuant to this chapter.

219 New Subparagraph; Seeds, Plants and Nursery Stock; Duties and Authority of Commissioner; Rulemaking. Amend RSA 433:7, III by inserting after subparagraph (m) the following new subparagraph:

(n) The assessment of late fees related to seed label licenses.

220 All Agencies; Administrative Services. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of mail.

221 Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.

222 Sale of Property; Laconia State School. Notwithstanding RSA 10 and RSA 227-C:9, the commissioner of the department of administrative services shall offer for sale the former Laconia state school land and buildings and the former Laconia state school and training center land and buildings, except those portions of the land and buildings required for state use. The commissioner of the department of administrative services shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40, except that review and approval of the sale of the land and buildings by the council on resources and development and the long range capital planning and utilization committee shall not be required. All proceeds from the sale shall be deposited into the general fund.

223 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program that is received by the governor's commission on disability pursuant to 29 U.S.C. Section 732 for fiscal years 2016 and 2017 may be transferred to another qualified agency or agencies upon certification by the governor to the commissioner of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2015, the unexpended portion of the appropriation shall be transferred.

224 Repeal. RSA 486:4, relative to limitation of guarantee of construction bonds for sewage disposal facilities, is repealed.

225 Department of Environmental Services; Aid to Municipalities for Water Pollution Control. Amend RSA 486:1, I(a) to read as follows:

I.(a) The state of New Hampshire shall[~~, in addition to any federal grant made available under the provisions of the Clean Water Act of 1977 (or subsequent amendments thereof),~~] pay annually 20 percent of the annual amortization charges, meaning principal and interest, on the [~~original~~] ***eligible*** costs resulting from the acquisition and construction of sewage disposal facilities by municipalities (meaning counties, cities, towns, or village districts), in accordance with RSA 485:8, RSA 485-A:4, IX, and RSA 485-A:4, XII, for the control of water pollution. The word "construction" shall include engineering services, in addition to the construction of new sewage treatment plants, pumping stations, intercepting sewers, and sewer separation by storm drains when the latter can be demonstrated as a cost-effective method for eliminating a combined sewer overflow structure; the altering, improving or adding to existing treatment plants, pumping stations, intercepting sewers, and sewer separation by storm drains when the latter can be demonstrated as a cost-effective method for eliminating a combined sewer overflow structure; provided the construction has been directed by the department, or constitutes a voluntary undertaking designed to control or reduce pollution in the surface waters of the state as defined in RSA 485-A:2, and the plan therefor is approved in compliance with the provisions of RSA 485:8, RSA 485-A:4, IX, and RSA 485-A:4, XII. The term "eligible costs" as used in this [~~section~~] ***chapter, except as noted,*** shall mean the entire cost of the construction of treatment plants, pumping stations, intercepting sewers and sewer separation by storm drains as defined in the Clean Water Act of 1977, ***less any other grant or subsidy. Cash payments, net of any other grant or subsidy, made by municipalities toward eligible costs shall also be eligible for state contributions in accordance with this section.***

226 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, or any other law to the contrary, for the biennium ending June 30, 2017, a moratorium shall be in place on state aid grants for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486-486-A or RSA 149-M, with the exception that infrastructure projects

that had local authorization by December 31, 2008 to construct but were not listed in 2013, 144:101 continue to be eligible for state aid grants subject to availability of funding. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purposes.

227 New Section; Office of the Chief Operating Officer. Amend RSA 21-I by inserting after section 10 the following new section:

21-I:10-a Office of the Chief Operating Officer.

I. There is established within the department of administrative services the office of the state chief operating officer. The office shall be responsible for coordinating and implementing statewide efforts to monitor, oversee, and improve the operating efficiency, customer service, and transparency of state government activities. The chief operating officer shall regularly report to the governor and council and, the general court on ongoing efforts to improve state government efficiency, including the projected return on investment of projects.

II. There is established within the department of administrative services the unclassified position of chief operating officer, who shall be qualified to hold the position by reason of education and experience, shall be appointed by the governor, and who shall serve at the pleasure of the governor. The chief operating officer shall supervise the office of operating performance. and perform such duties as the governor may authorize and assign from time to time.

III. The salary of the chief operating officer shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. There is established with the department of administrative services a government innovation fund, to be overseen by the chief operating officer. Such fund shall be nonlapsing and continually appropriated to the department of administrative services. The chief operating officer, may, with the consent of governor and council, use the innovation fund to invest in projects to improve the efficiency of state government.

228 New Subparagraph; Government Innovation Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

(327) Moneys appropriated to the government innovation fund established in RSA 21-I:10-a, IV.

229 Agency Reports; Racing and Charitable Gaming Deleted. Amend RSA 20:7 to read as follows:

20:7 Issuance of Reports. The following agency reports shall be issued annually: secretary of state, state treasurer, bank commissioner, insurance commissioner, division of personnel, commissioner of revenue administration, lottery commission, [~~racing and charitable gaming commission,~~] liquor commission, department of transportation, department of environmental services, department of safety, adult parole board, and the board of trustees of the state colleges and university. All other reports shall be issued biennially. All reports shall cover periods ending on June 30, and be submitted to the governor and council, the speaker of the house of representatives, and the senate president by October 1. Biennial reports shall cover periods ending in odd-numbered years.

230 Terms of Appointment. Amend RSA 21:33-a, III(a) to read as follows:

(a) That any commissioner or agency head of a department, as defined in RSA 21-G:5, VI, who is an unclassified employee of the state, and appointed to such position, shall serve for the appropriate term or unexpired portion thereof. The commissioner or agency head may serve beyond the appointed term or unexpired portion thereof with the written authorization of the governor, provided that such service shall not extend beyond 6 months. This subparagraph shall also apply to the adjutant general and the attorney general, and to appointees to the liquor commission, the lottery commission, [~~the racing and charitable gaming commission,~~] and the public utilities commission.

231 State Employees; Terms Defined. Amend RSA 98-A:1, III to read as follows:

III. "The equivalent of 6 months or more" shall mean the equivalent of 130 or more regularly scheduled work days, not necessarily consecutive, provided that whenever an employee of the [~~racing commission or greyhound racing commission~~] ***lottery commission*** is employed on any day on a per diem basis he ***or she*** shall be deemed to have worked one day.

232 Racing and Charitable Gaming; Subdivision Heading Changed. Amend the subdivision heading preceding RSA 284:6 to read as follows:

Racing and Charitable Gaming [~~Commission~~]

233 Racing and Charitable Gaming Commission; Lottery Commission Authorization. Amend RSA 284:6-a to read as follows:

284:6-a Racing and Charitable Gaming; ***Lottery*** Commission.

I. [~~There shall be a state racing and charitable gaming commission consisting of 6 members appointed by the governor with the advice and consent of the council. Each member shall hold office for a term of 3 years. Any vacancy shall be filled for the unexpired term. Annually, one member shall be chosen chairperson by the commission, and one shall be chosen as secretary.~~] ***The regulation of racing and charitable gaming shall be under the authority of the lottery commission established under RSA 284:21-a.***

II. The [~~racing and charitable gaming~~] ***lottery*** commission shall assume the powers, rights, duties, and responsibilities granted to the [~~state~~] racing ***and charitable gaming*** commission [~~and the state greyhound racing commission under RSA 284, and any reference to the state racing commission or the state greyhound racing commission in RSA 284 or any other statutory cites shall be deemed to refer to the New Hampshire racing and charitable gaming commission.~~] The [~~New Hampshire racing and charitable gaming~~] ***lottery*** commission shall, in carrying out the purpose of this chapter, use the applicable provisions for horse racing independent of the applicable provisions for simulcast dog racing.

III. The [~~racing and charitable gaming~~] ***lottery*** commission shall have all the powers, duties, and rights conferred upon state commissions under the United States Interstate Horseracing Act of 1978 as it currently exists and as it may be amended from time to time.

IV. The [~~racing and charitable gaming~~] ***lottery*** commission shall administer RSA 287-E relating to bingo and lucky 7.

V. The [~~racing and charitable gaming~~] ***lottery*** commission shall administer RSA 287-D, relating to games of chance conducted by charitable organizations.

VI. The [~~racing and charitable gaming~~] ***lottery*** commission shall not authorize the use of any electronic gaming device in connection with the acceptance of wagers on running or harness horse racing, whether live or simulcast, or simulcast dog racing, the type of which was not in use prior to January 1, 2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and devices used for the purposes of gaming, other than wagering on live or simulcast horse racing or simulcast dog racing, whether in physical presence or through the Internet, and such shall include, but not be limited to, video slot machines and other gambling devices which function or are designed to function to emulate a video slot machine or historic racing machine. This section shall not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the conduct of wagering on live or simulcast horse racing or simulcast dog racing, which type of equipment was in service prior to January 1, 2011, with updated or new equipment which are the functional equivalent of the machines which are being replaced, provided the equipment is not an electronic gaming device as described in the previous sentence. This section shall not be interpreted as prohibiting licensees from accepting account wagers in compliance with applicable rules and regulations.

234 Supervision and Hearings. Amend RSA 284:13 to read as follows:

284:13 Supervision and Hearings. The ***lottery*** commission shall have the power to conduct hearings at which all matters pertaining to the administration of the affairs of the commission and all activities conducted under its jurisdiction may be investigated and determined and, under the hand of its chairperson, to issue subpoenas for the attendance of witnesses at such hearings. The ***lottery*** commission on its own motion or at the request of any party may cause a complete record to be made of such hearings by a competent reporter or by electronic recording which shall be transcribed at the request and expense of any party desiring the same, and a copy of such transcription shall be furnished to any other party upon the written request and at the expense of such other party. If the record is not transcribed, the ***lottery*** commission shall prepare a summary record of the proceedings and evidence. Any member of the ***lottery*** commission***, or the commission's designee,*** may administer oaths and affirmations [~~and may~~] examine witnesses***, and receive testimony and shall forward findings to the full commission as part of the hearing***. Disobedience of such subpoenas or false swearing before the ***lottery*** commission shall be attended with the same penalties as if such disobedience or false swearing occurred in an action in the superior court. The ***lottery*** commission shall have the power and authority to regulate, supervise and check the making of pari-mutuel pools and the distributions therefrom. It shall have the further power and authority to investigate as to the direct and indirect ownership and control of any licensee, and any expense incurred by the ***lottery*** commission in so doing shall be at the expense of such licensee or of the applicant for a license.

Any party aggrieved by any final decision entered in proceedings before the ***lottery*** commission may, within 10 days after such decision is entered, appeal to the superior court by petition specifying the grounds upon which the decision is claimed to be unreasonable or unlawful. Findings and decisions by the ***lottery*** commission shall be deemed to be prima facie lawful and reasonable, and shall not be set aside on appeal unless found to be arbitrary, capricious, unreasonable, or unlawful.

II. The lottery commission may, in accordance with the rules adopted in accordance with RSA 541-A, appoint a hearings officer or hearings officers, as necessary, to preside over such hearings as are required to comply with federal and state statutes and federal or state rules or regulations. The decision of the officer shall not be contrary to rules adopted by the lottery commission pursuant to RSA 541-A. The officer's decision shall be binding on all parties unless such decision is overturned on appeal.

235 Licensees; Restriction on Gambling. Amend RSA 284:17-c to read as follows:

284:17-c Restriction on Gambling. Notwithstanding any other provision of law, except as provided in RSA 284:22-a and in the introductory paragraph of RSA 284:22, no licensee who holds running horse races shall at the same facility hold any other kinds of races or permit any other type of gambling except harness horse races and activities licensed by the lottery commission [~~or the racing and charitable gaming commission~~].

236 Stewards. Amend RSA 284:20 to read as follows:

284:20 Stewards. There shall be at least 3 stewards to supervise each running or harness horse race or meet, conducted under the provisions of this chapter, at which pari-mutuel pools are sold. One of such stewards shall be the official steward of the [~~state racing~~] ***lottery*** commission, and the remaining stewards shall be appointed by the person, association, corporation, or any other type of entity conducting the race or meet, subject to the approval of the commission. Said stewards shall be authorized to assess fines and suspend licenses and shall exercise such other powers and perform such duties at each race meet as may be prescribed by the rules and regulations of the ***lottery*** commission. Any person who has been assessed a fine or whose license has been suspended may appeal any fine or suspension imposed by the stewards under this section to the ***lottery*** commission.

237 Rights Protected; Liability Limited. Amend RSA 284:20-a to read as follows:

284:20-a Rights Protected. No licensee conducting a race or meet under this chapter, no member of the [~~state racing~~] ***lottery*** commission, no steward, judge, or assistant official appointed to act as such pursuant to the provisions of this chapter, shall be liable for damages to any person, association or corporation for any cause whatsoever arising out of or from the performance by such licensee, commissioner, steward, judge or assistant official of such person's duties and exercise of discretion with respect to such duties, so long as such person acted in good faith, without malice or improper motive.

238 Lottery Commission Revenues. Amend RSA 284:21-j, I to read as follows:

I. The state treasurer shall credit all moneys received from the lottery commission [~~and all moneys received from the racing and charitable gaming commission~~] under RSA 284, RSA 287-D, and RSA 287-E, and interest received on such moneys, to a special fund from which the treasurer shall pay all expenses of the commission incident to the administration of this subdivision and all administration and enforcement expenses of [~~the~~] racing and charitable gaming [~~commission~~] under RSA 284, RSA 287-D, and RSA 287-E. Any balance left in such fund after such expenses are paid shall be deposited in the education trust fund established under RSA 198:39.

239 Change from Racing and Charitable Gaming to Lottery. Amend the following RSA provisions by replacing "racing and charitable gaming commission" or "commission" with "lottery commission": 21-I:18, I(n); the introductory paragraph of 21-P:4, VI; 175:1, LVI; 273-C:2, VI; the introductory paragraph of 284:8; 284:12; 284:12-a; 284:13-a; 284:14; 284:15; 284:15-a; 284:15-b; 284:16; 284:16-a; 284:16-b; 284:16-c; 284:17; 284:18; 284:19; 284:20; 284:20-a; 284:20-c; 284:20-d; 284:20-f; 284:20-g; 284:21; 284:22; 284:23; 284:31; 284:32-a; 284:32-b; 284:38-a; 287-A:8, III; 787-D:1, V; 287-D:1-a; the introductory paragraph of 287-D:1-b; 287-D:2; 287-D:2-a; 287-D:2-b; 287-D:2-c; 287-D:2-d; 287-D:3; 287-D:5; 287-D:6; 287-D:8; 287-D:9; 287-E:1, VI; 287-E:2; 287-E:16; and 647:2, V(a).

240 Bingo and Lucky 7; Penalties. Amend RSA 287-E:25 to read as follows:

287-E:25 ***Suspension;*** Revocation. The commission shall [~~immediately~~] ***suspend or*** revoke the license of any licensee ***and/or impose an administrative fine upon the licensee upon a finding that the licensee has violated*** [~~who violates~~] any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation.

241 Bingo and Lucky-7; Process. Amend RSA 287-E:3, IV to read as follows:

IV. Procedures for a hearing following the revocation of a license ***and the imposition of administrative orders and fines***.

242 New Paragraph; Bingo and Lucky-7; Process. Amend RSA 287-E:3 by inserting after paragraph XIV the following new paragraph:

XV. The issuance of subpoenas pursuant to RSA 287-E:14-a.

243 Administrative Orders; Subpoenas. RSA 287-E:14 is repealed and reenacted to read as follows:

287-E:14 Administrative Orders and Fines.

I. The commission, pursuant to rules adopted under RSA 287-E:18, may impose an administrative order or fine, which shall be scaled to reflect the scope and severity of the violation for each offense, upon any person who violates any provision of this chapter or rules adopted pursuant to this chapter.

II. Any administrative fine imposed under this section shall not preclude the imposition Of further penalties or administrative actions under this chapter.

III. All fines imposed by the lottery commission shall be deposited in the special fund established pursuant to RSA 284:21-j.

244 New Section; Subpoenas. Amend RSA 287-E by inserting after section 14 the following new section:

287-E:14-a Subpoenas. The lottery commission or, when applicable, the hearings officer, may issue subpoenas for witnesses and for documents relative to investigations or adjudicatory hearings held by the commission.

245 New Paragraphs; Bingo and Lucky 7. Amend RSA 287-E:18 by inserting after paragraph VI the following new paragraphs:

VII. Procedures for a hearing following the revocation of a license, and the imposition of administrative fines.

VIII. The issuance of subpoenas pursuant to RSA 287-E:26-b.

IX. Other matters related to the proper administration of this chapter.

246 New Section; Administrative Orders and Fines. Amend RSA 287-E by inserting after section 25 the following new section:

287-E:25-a Administrative Orders and Fines.

I. The lottery commission, pursuant to rules adopted under RSA 287-E:18, may impose an administrative order and fine, which shall be scaled to reflect the scope and severity of the violation for each offense, upon any person who violates any provision of this chapter or rules adopted pursuant to this chapter.

II. Any administrative fine imposed under this section shall not preclude the imposition of further penalties or administrative actions under this chapter.

III. All fines imposed by the lottery commission shall be deposited in the special fund established pursuant to RSA 284:21-j.

247 New Section; Bingo and Lucky 7; Subpoenas. Amend RSA 287-E by inserting after section 25 the following new section:

287-E:26-a Subpoenas. The lottery commission or, when applicable, the hearings officer, may issue subpoenas for witnesses and for documents relative to investigations or adjudicatory hearings held by the commission.

248 Repeal. The following are repealed:

I. RSA 284:7, relative to the office for the racing and charitable gaming commission.

II. RSA 284:9, relative to expenses of the racing and charitable gaming commission.

III. RSA 284:11, relative to the report of the racing and charitable gaming commission.

249 Transfer of Functions, Positions, Equipment, Records, and Accounts; Rules Continued.

I. All the functions, positions, powers, duties and responsibilities of the racing and charitable gaming commission shall be transferred to the lottery commission. The transfer shall include all of the equipment, books, papers, and records of the racing and charitable gaming commission related to the above functions.

II. All existing rules, statutory responsibilities, regulations, and procedures in effect, in operation, or adopted in or by the racing and charitable gaming commission are transferred to the lottery commission, and are declared in effect and shall continue in effect until rescinded, revised, or amended in accordance with applicable law.

250 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2017, all gross revenue derived by the liquor commission from the sale of liquor and related products, or from license fees, shall be deposited into the liquor commission fund.

251 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, III(b) to read as follows:

(b) Beginning July 1, [~~2013~~] ***2015***, and each fiscal year thereafter, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds [~~108~~] ***115*** percent of the total education grant distributed to such municipality in the previous fiscal year.

252 School Money; Determination of Grants. Amend RSA 198:41, IV to read as follows:

IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.

(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.

(c) For fiscal year 2014[~~, and each fiscal year thereafter~~] ***and 2015***, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.

(d) For fiscal year 2016, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the stabilization grant distributed pursuant to subparagraph (a), however, such stabilization grant shall be reduced by the amount the municipality's total education grant for 2016 is increased over the amount of the municipality's total education grant for 2015; and, if the number of pupils receiving free or reduced price lunch is less than the state average number of pupils receiving a free or reduced price lunch, then such stabilization grant shall be further reduced by 5 percent of the municipality's fiscal year stabilization grant.

(e) For fiscal year 2017, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the municipality's fiscal year 2012 stabilization grant, if any; however, the fiscal year 2012 stabilization grant shall be reduced by the lesser of 40 percent of said grant or $750,000.

253 Repeal. RSA 198:41, III(b), relative to the cap on the total education grant to a municipality, is repealed.

254 School Building Aid; Alternative School Building Aid.

I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after June 30, 2015 through June 30, 2017.

II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:

(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2017; or

(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2017.

(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.

255 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other provision of law, for the fiscal years ending June 30, 2016 and June 30, 2017, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year 2015 distribution.

256 Department of Health and Human Services; Transfer Among Accounts. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2017, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department. If the department intends to transfer funds, which would otherwise meet the transfer requirements as set forth in RSA 9:17-a, prior approval of the fiscal committee shall be required for transfers of $75,000 or more.

257 Department of Health and Human Services; Transfer Authority; Medicaid Managed Care Program. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, the commissioner of the department of health and human services is hereby authorized, by notification to the commissioner of the department of administrative services, to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to implement the Title XIX Medicaid managed care program. The commissioner shall notify the fiscal committee of the general court and governor and council of such transfers.

258 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2017, the department of health and human services shall not authorize, without prior consultation with the house health and human services and elderly affairs committee and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

259 Department of Health and Human Services; Division of Community-Based Care Services, Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the biennium ending June 30, 2017, the department of health and human services shall maintain a limit on benefits of $2,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department shall also establish, by rule under RSA 541-A, a procedure for such persons or community health providers to request a waiver of the $2,000 limit based on legitimate treatment considerations. Upon request by the commissioner of the department of health and human services, the fiscal committee of the general court may authorize a higher per person per year limit.

260 Department of Health and Human Services; Suspension of Home Health Rate Setting Rule. Notwithstanding any provision of law or rule to the contrary, He-W 553 relative to the home health services rate setting shall be suspended for the biennium ending June 30, 2017. Payments for home health services shall be limited to appropriations for home health services as may be restricted or reduced by action of the fiscal committee of the general court or by legislative action.

261 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2017.

262 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the biennium ending June 30, 2017.

263 Department of Health and Human Services; Division for Children, Youth and Families.

I. Notwithstanding any provision of law or administrative rule to the contrary, for the biennium ending June 30, 2017, the rates for all services, placements, and programs that are paid for by the

department of health and human services pursuant to RSA 169-B:40, RSA 169-C:27, and RSA 169-D:29, with the exception of rates for contracted services that are approved by the governor and council and rates for out-of-state placements, shall be no greater than the rates in effect for the particular service, placement, or program as of June 30, 2015.

II. Notwithstanding any provision of paragraph I, upon the department's implementation of managed care, the rate of reimbursement for Medicaid eligible services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization. The total rate of reimbursement for residential placement (board and care) for a Medicaid eligible child shall consist of the "room and board rate" and the "educational rate" as established by the department on July 1, 2015, and the treatment or the private non-medical institution rate as agreed to by the provider and the managed care organization.

264 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2015. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2017.

265 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2015. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2017.

266 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire health protection program established under RSA 126-A:5, XXIII-XXV is repealed effective December 31, 2016 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules pursuant to RSA 541-A to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which were in effect prior to the effective date of the New Hampshire health protection program.

267 Department of Health and Human Services; Bureau of Adult and Elderly Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services: Limitation on County Payments; Credit. Amend RSA 167:18-a, II(a) to read as follows:

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2014-2015~~] ***2016-2017***:

(1) State fiscal year [~~2014, $109,000,000~~] ***2016, $111,717,685***.

(2) State fiscal year [~~2015, $112,500,000~~] ***2017, $112,407,632***.

268 Public Health; Vaccine Association. Amend RSA 126-Q:1, III to read as follows:

III. "Assessable lives" means all children under 19 years of age residing in the state who have assessable coverage written or administered by an assessable entity, ***with the exception of children whose vaccines are paid for under the federal Vaccines for Children program, established under 42 U.S.C. section 1396s***.

269 Public Health; Vaccine Association; Assessment Determination. Amend RSA 126-Q:4, I to read as follows:

I. The board shall determine an assessment for each assessable entity in accordance with this section, ***except that no assessment shall be made based on children excluded from assessable lives whose vaccines are paid for under the federal Vaccines for Children program, established under 42 U.S.C. section 1396s***. An assessment determination made pursuant to this section is a pharmaceutical cost and not a regulatory cost for purposes of calculating the carrier's medical loss ratio.

270 New Section; Homeland Security and Emergency Management; Assessment Fund. Amend RSA 21-P by inserting after section 46-a the following new section:

21-P:46-b Division of Homeland Security and Emergency Management; Assessment Fund. There is established the homeland security and emergency management assessment fund which shall be

nonlapsing and continually appropriated to the department of safety, division of homeland security and emergency management from which the state treasurer shall pay expenses incurred in the administration of the division of homeland security and emergency management, under RSA 21-P:36.

271 New Subparagraph; Dedicated Account. Amend RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

(327) Moneys deposited in the assessment fund under RSA 21-P:46-b.

272 New Section; Division of Homeland Security and Emergency Management. Amend RSA 400-A by inserting after section 39-d the following new section:

400-A:39-e Funding for the Division of Homeland Security and Emergency Management; Emergency Management Fund Established.

I. There is hereby established in the state treasury an emergency management fund for the sole purpose of funding an interagency transfer from the insurance department to the division of homeland security and emergency management within the department of safety. The amount of the interagency transfer shall equal 50 percent of the total budget approved by the general court for the division of homeland security and emergency management. The fund shall be administered by the commissioner. The state treasurer shall be the custodian of the fund and all moneys and securities in the fund shall be held in trust by the state treasurer and shall not constitute money or property of the state.

II. For the purposes of this section, "affiliate" shall be as defined in RSA 401-B:1, I.

III. The state treasurer is authorized to disburse moneys from the fund upon written order of both the commissioner and commissioner of administrative services in accordance with a budget approved by the general court. The state treasurer shall be required to give bond in an amount to be fixed and with securities approved by the insurance commissioner conditioned upon the faithful performance of his or her duty as custodian of the fund.

IV. Each insurer licensed to do property and casualty insurance business in this state pursuant to RSA 401:1, I, II, V, VI, VII or VIII shall make payments to the fund each year of its pro rata share of the department's interagency transfer costs to the division of homeland security and emergency management to be appropriated out of the fund. Such share is to be computed in accordance with paragraphs V and VI.

V. For each year, the total amount of such payments made to the fund by all such insurers shall be an amount that, when combined with any available fund balance, is not less than the department's expenses for interagency transfer to the division of homeland security and emergency management for the fiscal year commencing on the July 1 in which the payments are due.

VI. The amount payable each year by each such insurer shall be computed by the commissioner as follows:

(a) Based on the annual statement filed in such year by each insurer under RSA 400-A:31, the commissioner shall ascertain each insurer's amount of gross direct premiums written for property and casualty insurance, including policy, membership and other fees, service charges, policy dividends applied in payment for insurance, and all other considerations for insurance originating from policies covering property, subjects, or risks located, resident or to be performed in New Hampshire after deducting return premiums and dividends actually returned or credited to policyholders. If any such insurer does not otherwise timely provide the commissioner with the information necessary for such ascertainment, it shall do so on or before May 1 of each year.

(b) The commissioner shall total the amounts ascertained for all such insurers under subparagraph (a) so that the commissioner has a total for each nonaffiliated individual insurer and for each group of affiliated insurers.

VII. At the close of each fiscal year, the commissioner shall review the department's actual expenditures for the interagency transfer against funds collected to determine what part of the fund balance can be treated as an offset to the commissioner's assessment for the subsequent year. To the extent that it is reasonably practicable, the commissioner shall apportion available offsets to insurers based on the insurers' relative contributions to the fund overage. The commissioner shall not be required to return previously collected assessments. Offsets shall only be used to reduce future assessment liabilities.

VIII. The commissioner shall perform the calculations required by this section and notify each insurer of the insurer's assessment payable under this section as soon as practicable after July 1 of each year.

IX. The commissioner shall be charged with the conservation of the assets of the fund. In furtherance of this purpose, the attorney general shall appoint a member of his or her staff to represent the fund in all proceedings brought to enforce payment of assessments as provided in paragraph VI.

X. This section shall not apply to fraternal benefit societies or town mutual insurance companies.

XI. Any insurer that does not pay amounts due under this section within 45 days of the billing date shall incur a late payment penalty equal to 10 percent of the amount assessed. In addition, the sum total of the assessment and penalty shall accrue with interest, from the 45th day until the date of payment, at a rate of 0.050 percent per day compounded daily.

XII. The commissioner shall restrict the authority of any insurer, who does not pay amounts due under this section within 90 days of the billing date, to servicing existing in-force business only.

XIII. For any insurer, who does not pay amounts due under this section within 180 days of the billing date, the commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state.

XIV. The commissioner may adopt rules that provide for the administration of this section in accordance with state agency accounting principles and practices.

273 New Subparagraph; Dedicated Account. Amend RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

(327) Moneys deposited in the emergency management fund under RSA 400-A:39-e.

274 Department of Resources and Economic Development; Travel and Tourism Development Fund. Amend RSA 12-A:43-a, II to read as follows:

II. The commissioner of resources and economic development shall prepare an annual report to be presented [~~no later than December 1 of each year~~] to the ***governor and council, the fiscal committee of the general court, the*** president of the senate, ***and*** the speaker of the house of representatives[~~, and the governor and council, and filed with the state library~~]. The report shall detail the specific activities supported by, and expenditures from, the fund during the past year ***and will additionally detail the activities of the travel and tourism revolving fund established in RSA 12-A:15-a.***

275 Driver Training Fund. Amend RSA 263:52, II to read as follows:

II. The [~~$40~~] ***$43*** vanity plate service fee and the fee for renewal of vanity number plates shall automatically be credited to the driver training fund until all fees in such fund equal the amount of money estimated by the general court as available for expenditure for course materials, licensing of schools, and certification services in connection with driver training from that fund for that fiscal year. Once the driver training course materials, licensing of schools, and certification services have been funded in accordance with the legislative estimates for the current fiscal year, the next [~~1.5~~] ***2*** million dollars shall be transferred to the department of safety as restricted revenue, thereafter the balance of all such fees shall be transferred to the general fund and shall be available as unrestricted revenue.

276 Penalty Assessments. Amend RSA 188-F:31, I to read as follows:

I. Every court shall levy a penalty assessment of $2 or 24 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense, including any fine or penalty for a violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked. ***Notwithstanding any law or rule to the contrary, the penalty assessment shall be levied in addition to the amount of the fine or penalty imposed by the court.***

277 Transfer of State Highway Safety Agency. The functions and responsibilities of the state highway safety agency are hereby transferred to the department of safety. The transfer shall not affect the validity of actions taken by the state highway safety agency prior to the effective date of the transfer.

278 New Paragraph; Duties of Commissioner of Safety. Amend RSA 21-P:4 by inserting after paragraph XV the following new paragraph:

XVI. Implement the state highway safety program as provided in RSA 21-P:55 through RSA 21-P:63.

279 New Subdivisions; State Highway Safety Program; Traffic Safety Commission. Amend RSA 21-P by inserting after section 54 the following new subdivisions:

State Highway Safety Program

21-P:55 Policy. It is hereby declared to be the policy of this state and in the public interest to have a highway safety program designed to reduce traffic accidents and deaths, injuries and property damage resulting therefrom. Such program shall include, but not be limited to, improvement of driver performance, improvement of pedestrian performance, an accident record system, accident investigations, vehicle registration, operation, and inspection, highway design and maintenance, traffic control, vehicle codes and laws, surveillance of traffic and emergency services.

21-P:56 Provisions Accepted. The provisions of the federal Highway Safety Act of 1966, approved September 9, 1966, entitled "An Act to provide for a coordinated national highway safety program through financial assistance to the states to accelerate highway traffic safety programs, and for other purposes," and all acts amendatory thereof and supplementary thereto, are assented to, and the governor shall be the official of this state having the ultimate responsibility for dealing with the federal government with respect to programs and activities pursuant to carrying out the provisions of said acts.

21-P:57 Faith and Credit Pledged. The faith and credit of the state are pledged to make adequate provision, from time to time, by appropriation or otherwise, to meet all the obligations of the state incident to the acceptance of federal aid under the provisions of said act.

21-P:58 Expenditures. To meet such obligations the governor with the consent of the council is authorized to accept and expend any federal funds for the highway safety program.

21-P:59 Governor's Authority. The governor in addition to other duties and responsibilities conferred upon him or her by the constitution and laws of this state is hereby empowered to contract and to do all other things necessary in behalf of this state to secure the full benefits available to this state under the federal Highway Safety Act of 1966 and all acts amendatory and supplemental thereto, and in so doing, to cooperate with federal and state agencies, agencies private and public, interested organizations, and individuals, to effectuate the purposes of that enactment, and any and all subsequent amendments thereto. The governor shall coordinate the activities of any and all departments and agencies of this state and its subdivisions, relating thereto.

21-P:60 Local Highway Safety Programs.

I. The towns, village districts, school districts, cities, and counties are hereby authorized to establish highway safety programs.

II. A school district providing comprehensive driver training programs in accordance with the federal statutory provisions assented to in and under RSA 21-P:56 shall be eligible for reimbursement of federal funds apportioned to this state for such programs. A school district shall mean a town school district, a special school district, an incorporated school district operating within a city, a city operating a dependent school department, a cooperative school district, and an authorized regional enrollment (AREA) school.

III. Each political subdivision enumerated herein which implements highway safety programs approved by the governor in accordance with the Highway Safety Act of 1966 is eligible for reimbursement of federal funds apportioned to this state for such programs.

21-P:61 Highway Safety Unit; Governor's Representative. There is hereby created the state highway safety unit as a unit within the department of safety which shall be the agency responsible under the executive direction of the governor to develop and implement the state's highway safety program. The commissioner shall be the governor's representative with the national highway traffic safety administration and he will aid the governor in the coordination of interdepartmental activities and those of the various political subdivisions.

21-P:62 Staff. Subject to state personnel regulations and within budgetary appropriations, the commissioner shall appoint such field representatives and secretarial and clerical assistants as may be needed to carry out the purpose of this chapter.

21-P:63 Gifts and Grants. The governor is authorized to receive gifts and grants from any source, public or private, in the name of the state, and to expend these monies for the state highway safety program. Any monies accepted by the governor shall be deemed to be an appropriation of the same amount for the purposes hereof.

Traffic Safety Commission

21-P:64 Establishment. There is hereby established a traffic safety commission consisting of 15 members appointed by the governor and council for a term of 5 years and until their successors are appointed and qualified. Initial appointments by the governor and council shall be as follows: 5 members for 3 years; 5 members for 4 years; 5 members for 5 years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman who shall be designated by the governor from among its membership. The term of chairman shall be for one year. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, and upon petition of 5 members, it shall be the duty of the chairman to convene the commission forthwith. Members of the commission shall receive no compensation but shall be entitled to expenses, including mileage, when in the performance of duties required hereunder.

21-P:65 Powers and Duties. The traffic safety commission is authorized to act in an advisory capacity to the commissioner.

280 Traffic Safety Commission; Continuation of Terms. Members on the effective date of this section of the traffic safety commission established by RSA 238:10 shall continue as members of the traffic safety commission under 21-P:64 until the scheduled expiration of their terms.

281 Repeal. RSA 238:1 through RSA 238:11, relative to highway safety program and traffic safety commission, is repealed.

282 Suspension; Revenue Sharing. Notwithstanding any provision of the law to the contrary, RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2017.

283 Repeal. 2014, 229:1, relative to appropriation for state matching funds for disaster assistance grants, is repealed.

284 Housing Finance Authority; Priority to Housing for Veterans. Notwithstanding the provisions of RSA 204-C:56 through 62, the housing finance authority shall give high priority to housing projects that demonstrate a commitment to providing housing to veterans.

285 Reduction in State Self-insured Health Plan Reserve. Amend RSA 21-I:30-b, I(a) to read as follows:

(a) [~~Five~~] ***Three*** percent of estimated annual claims and administrative costs of the health plan; and

286 Fiscal Year 2015; Funds Transferred.

I. Notwithstanding RSA 263:34-e, I, for the fiscal year ending June 30, 2015 the commissioner of the department of safety shall transfer $90,000 from the motorcycle rider safety fund to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

II. Notwithstanding RSA 270-E:6-a, for the fiscal year ending June 30, 2015 the commissioner of the department of safety shall transfer $210,000 from the navigation safety fund to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

III. Any remaining shortfall in revenue in the anticipated detective bureau account agency income for fiscal year 2015 after the transfers in paragraphs I and II shall be funded by a transfer by the commissioner of the department of safety from the inventory fund for reflectorized motor vehicle plates in RSA 228:25 to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

287 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade EE by inserting the following position:

EE	Insurance department	health reform coordinator

288 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade FF by deleting the following position:

FF	Department of corrections	warden, New Hampshire state prison–women

289 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade GG by inserting the following positions:

GG	Department of information technology	director of technical support services
GG	Department of information technology	director of web support
GG	Insurance department	chief financial examiner
GG	Department of corrections	warden, New Hampshire correctional facility for women

290 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade GG by deleting the following position:

GG	Insurance department	director

291 Compensation of Certain State Officials. Amend RSA 94:1-a, I(b), salary grade HH by inserting the following positions:

HH	Department of information technology	director of operations
HH	Department of administrative services	manager of risks and benefits
HH	Department of employment security	deputy commissioner
HH	Department of revenue administration	director, division of municipal and property
HH	Insurance department	director of financial regulation

292 Compensation of Certain State Officials; Department of Administrative Services; Title of Position Amended. Amend the following position in RSA 94:1-a, I(b), salary grade HH, to read as follows:

HH	Department of administrative services	director of [~~plant and property management~~] ***procurement and support services***

293 Transfer of Positions.

I. Position 11408 is abolished to allow for the transfer of this classified position with its available appropriations into the unclassified position of director of web support. Funding shall be transferred into class 12 within accounting unit 01-03-03-030010-7708.

II. Position 16614 is abolished to allow for the transfer of this classified position with its available appropriations into the unclassified position of director of technical support services. Funding shall be transferred into class 12 within accounting unit 01-03-03-030010-7708.

III. Position 16515 is abolished to allow for the transfer of this classified position with its available appropriations into the unclassified position of director of operations. Funding shall be transferred into class 12 within accounting unit 01-03-03-030010-7708.

294 Insurance Department; Deputy Commissioner and Other Department Positions. Amend RSA 400-A:6, III-b to read as follows:

III-b. There shall be a director of [~~examinations;~~] ***financial regulation*** who shall be appointed by the commissioner of insurance. He ***or she*** shall serve at the pleasure of the commissioner during good behavior. The director of [~~examinations~~] ***financial regulation*** shall perform such duties and exercise such powers of the commissioner pursuant to RSA Title XXXVII as the commissioner from time to time may authorize.

295 Insurance Department; Compensation. Amend RSA 400-A:8, I-II to read as follows:

I. Compensation. The salary of the commissioner, deputy commissioner, director of operations, director of [~~examinations~~] ***financial regulation***, actuary, life, accident and health actuary, and assistants to the commissioner shall be as prescribed in RSA 94:1-a.

II. Expenses. The commissioner, deputy commissioner, director of operations, director of [~~examinations~~] ***financial regulation***, actuary, life, accident and health actuary, and the assistants to the commissioner shall be allowed their traveling expenses while engaged in the performance of their duties.

296 Insurance Department; Deputy Commissioner and Other Department Positions. Amend RSA 400-A:6, VII to read as follows:

VII. The commissioner shall appoint, as the commissioner's assistants, a health care policy analyst, a health care statistician, a general counsel, an insurance fraud attorney, a senior insurance fraud investigator, an assistant property and casualty actuary, a compliance and enforcement counsel, ***a chief financial examiner***, and a health reform coordinator, each of whom shall serve at the pleasure of the commissioner during good behavior. The health care policy analyst, health care statistician, general counsel, insurance fraud attorney, senior insurance fraud investigator, assistant property and casualty actuary, compliance and enforcement counsel, ***chief financial examiner***, and health reform coordinator, shall perform such duties and exercise such powers as the commissioner may authorize.

297 Salary of Financial Examinations Supervisor. Amend 2013, 205:2 to read as follows:

205:2 Salary of [~~Financial Examinations Supervisor~~] ***Insurance Department Position***. [~~The salary of the financial examinations supervisor established in section 1 of this act shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the financial examinations supervisor,~~] Position 41776 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of [~~financial examinations supervisor~~] ***chief financial examiner***. Funding shall be transferred into expenditure class [~~014~~] ***011***, within accounting unit 02-24-24-240010-2520.

298 Financial Examinations Supervisor Position; Effective Date Amended. Amend 2013, 205:4 to read as follows:

205:4 Effective Date.

[~~I. Section 1 of this act shall take effect as provided in section 3 of this act.~~

~~II. The remainder of~~] This act shall take effect upon its passage.

299 Repeal. The following are repealed:

I. 2013, 205:1, relative to the position of financial examinations supervisor in the insurance department.

II. 2013, 205:3, relative to the financial examinations supervisor position in the insurance department.

300 Office of Legislative Budget Assistant; General Duties. Amend RSA 14:31, III-VI to read as follows:

III. Both the audit division and the budget division shall conduct such investigations, analyses, or research into the financial activities and condition or the financial management procedures, or any specific area thereof, of any department, board, institution, commission, agency, political subdivision, or entity authorized to expend state funds for the information of the legislature, as the fiscal committee shall specifically direct. The authority of the legislative budget assistant to investigate, analyze, or research non-state agencies shall be limited to 5 entities in a 5-year period. In making any such investigation, analysis, or research, the legislative budget assistant, ***and any assistants appointed pursuant to RSA 14:34 and under the direction of the legislative budget assistant,*** shall have the power to examine whatever ***operations,*** accounts or records of, or property or things of value held by, said department, board, institution, commission, agency, political subdivision, or entity authorized to expend state funds the [~~fiscal committee shall deem~~] ***legislative budget assistant deems*** useful to said investigation, analysis, or research.

III-a. No department, board, institution, commission, agency, or political subdivision shall assert the attorney-client privilege in response to a request for information or examination of operations, accounts, or records by the legislative budget assistant. The attorney-client privilege shall not be deemed waived by any department, board, institution, commission, agency, or political subdivision that provides attorney-client privileged materials to the legislative budget assistant pursuant to this section. Attorney-client communications obtained from any regulated entities shall not be disclosed to the legislative budget assistant.

IV. All state departments, boards, institutions, commissions, agencies, and political subdivisions, and other entities authorized to expend state funds, shall be required to furnish to the legislative budget assistant any information, including confidential ***and privileged*** information, he or she may request in the course of carrying out the duties as prescribed by this section, RSA 14:31-a, and RSA 14:31-b, ***including online access to such information in the state's integrated, multi-module, information technology system, and any related subsystems,*** except that access to records, files, returns, or information deemed confidential information maintained by the department of revenue administration shall be controlled solely by the provisions of RSA 21-J:14. If the legislative budget assistant requires access to confidential ***or privileged*** information, the state entity shall furnish the information [~~, except for work papers as described in RSA 91-A:4, V~~]. In such situations, the legislative budget assistant shall be subject to the same restrictions and penalties regarding disclosure of the information as the original custodian of the information. The work product of the legislative budget assistant shall also be confidential to the extent required to preserve confidentiality required by law. Disclosure of confidential information to the legislative budget assistant shall be only for the purpose of, and to the extent necessary for, conducting audits as are required ***or permitted*** by law. The legislative budget assistant shall notify the head of any state department, board, institution, commission, agency, or political subdivision, or other entity authorized to expend state funds, before requiring the state entity to furnish any confidential ***or privileged*** information which was obtained by the entity through an exchange of information agreement with another state or the federal government. This paragraph shall not be construed to authorize disclosure to any member of the legislature or to any expert consultants, including certified public accountants and data processing experts, hired by the legislative budget assistant to assist him or her in the carrying out of the duties, except such summaries and results which do not disclose any identity required by law to be confidential ***or privileged, including the attorney-client privilege***. If any entity objects to providing confidential ***or privileged*** information under the provisions of this paragraph, the state entity may apply to the [~~attorney general~~] ***fiscal committee of the general court*** for disapproval of the request. [~~The attorney general may examine any confidential information to which the legislative budget assistant has requested access to determine whether or not it is necessary for the legislative budget assistant to examine the information to carry out his or her duties as required by law. If the attorney general finds that such examination is not necessary, he or she shall disapprove the request, and the agency shall not be required to provide such information. If the entity agrees to provide the requested information, or if the attorney general determines that it is necessary for the legislative budget assistant to examine the requested information, such information shall be provided to the legislative budget assistant in a mutually agreeable and compatible format.~~]

V. The commissioner of administrative services shall deliver to the legislative budget assistant the official financial information under the control of the commissioner as required by this section in a form unaltered from that which is finally reported in the ***state's*** integrated [~~financial~~], ***multi-***

module, information technology system***, including any related subsystems***. The approval of the governor, the speaker of the house of representatives, and the senate president shall be required for delivery of any other information, other than the official financial information required by this section. The right of access to information under this section shall not arise until after each transaction or event subject to RSA 91-A has taken place. Such information shall be provided to the legislative budget assistant in a mutually agreeable and compatible format at the end of each business day. The legislative budget assistant shall be subject to the provisions of RSA 21-I:13-a, II. This paragraph shall not be construed as granting the legislative budget assistant access to any information or any information system relative to the internal functions of the office of the governor or any executive agency, department, board, commission, or institution [~~through the integrated financial system~~].

VI. In addition to any other reports required by statute or by the fiscal committee to be submitted by the legislative budget assistant, he ***or she*** shall submit to the members of the [~~appropriations,~~] finance [~~,~~] and ways and means committees a report of the results of post-audits, program result audits, and investigations he ***or she*** has conducted since the date of his ***or her*** last such report. The fiscal committee shall determine which policy committees of both houses of the general court, in addition to those listed in this paragraph, shall receive reports pursuant to this paragraph. The report required by this paragraph shall be submitted not later than January 25 of each regular legislative session.

301 Department of Administrative Services; Additional Purchasing Authority. Amend RSA 21-I:17-a, I to read as follows:

I. The director of procurement and support services may, upon written application of the governing board of any agency, authorize such governing board, or one or more individuals designated by such board, to purchase supplies for the agency directly from vendors by the use of field purchase orders, or by the use of procurement cards issued for that purpose; provided, however, that no such field purchase order or procurement card shall be used where a total expenditure of more than $500 is involved ***unless such use is otherwise allowed by law***. The form and use of such field purchase orders or procurement cards shall be prescribed by rules adopted by the commissioner of administrative services pursuant to RSA 541-A in consultation with the state treasurer, or in the department's manual of procedures described in RSA 21-I:14, I. Rules or procedures adopted by the commissioner relative to procurement cards shall include processes for monitoring the use of such cards. Procurement cards shall be used only for [~~the~~] state purposes [~~permitted under this paragraph~~]. Unauthorized use of a procurement card may result in disciplinary action up to and including termination of employment. Any person who knowingly uses a procurement card in violation of this section shall be guilty of a misdemeanor. ***Agencies' use of procurement cards shall be subject to the limitations of the amounts appropriated by the legislature.***

302 New Section; Use of Procurement Cards for Purchase of Commodities or Services. Amend RSA 21-I by inserting after section 17-c the following new section:

21-I:17-d Use of Procurement Cards for Purchase of Commodities or Services.

I. The director of procurement and support services may, upon written application of an agency, authorize the agency, or one or more individuals designated by the agency, to purchase commodities or services secured by or through the division using procurement cards issued for that purpose; provided, however, that no such card shall be used for an expenditure which is greater than the amount allowed by the division for purchases under the applicable contract, or the price allowed by the division for the commodity or service, and provided further that use of such cards shall be in accordance with paragraphs II and III.

II. Use of a procurement card under paragraph I shall not alter any other purchasing requirements which may apply to the agency or to the type of purchase at issue, including but not limited to any restrictions or limitations contained in contracts entered into by the division of procurement and support services and any processes, rules, or manual of procedures provisions adopted by the department of administrative services which are applicable to the purchase. Agencies' use of procurement cards shall be subject to the limitations of the amounts appropriated by the legislature.

III. The form and use of credit cards to conduct or pay for purchases under paragraph I shall be prescribed by rules adopted by the commissioner of administrative services pursuant to RSA 541-A in consultation with the state treasurer, or in the department's manual of procedures described in RSA 21-1:14, I. Rules or procedures adopted by the commissioner shall include processes for monitoring the use of cards. Cards shall be used only for state purposes. Unauthorized use of a card may result in disciplinary action up to and including termination of employment. Any person who knowingly uses a card in violation of this section shall be guilty of a misdemeanor.

303 New Subparagraph; Medical and Surgical Benefits: Retiree Plan. Amend RSA 21-I:30, V by inserting after subparagraph (b) the following new subparagraph:

(c) No retired employee or active employee may be enrolled in the retiree benefit plan under this section if otherwise enrolled in an active state employee benefit plan sponsored by the state.

304 Department of State. For the biennium ending June 30, 2017, and notwithstanding any other law to the contrary, the secretary of state shall have the authority to administer all elections-related responsibilities assigned to the department of state under RSA 5 and RSA 652 through 671, and pursuant to the New Hampshire constitution. This authority shall include the authority to hire staff as necessary to administer such responsibilities.

305 Obtaining a Ballot; Proof of Identity; Photograph. Amend RSA 659:13, I(c)(2) to read as follows:

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. The photograph shall be 2 inches by 2 inches, or larger, and ***may*** be in color ***or in black and white***. The moderator or his or her designee who took the photograph and the voter shall then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

306 New Paragraph; Commissioner of Revenue Administration; Authorization to Contract for Audit Services. Amend RSA 21-J:3 by inserting after paragraph XXX the following new paragraph:

XXXI. Have the authority, subject to appropriation, to contract with the Multistate Tax Commission for participation in audits performed by the Multistate Tax Commission on behalf of member states. While under contract with the state, the Multistate Tax Commission shall be an authorized agent of the commissioner for the purposes RSA 21-J:14-e.

307 New Subparagraph; Confidentiality; Disclosure to Multistate Tax Commission. Amend RSA 21-J:14, V by inserting after subparagraph (g) the following new subparagraph:

(h) Disclosure of department records, files, or returns to the Multistate Tax Commission, in accordance with agreements entered into with the Multistate Tax Commission, for the performance of tax audits on behalf of the state.

308 Department of Revenue Administration; Appropriation. The sum of $163,285 from the $658,000 settlement agreement dated December 5, 2014 under the Merrimack River Valley flood control compact is hereby appropriated to the department of revenue administration. The governor is authorized to draw a warrant for the purpose of reimbursing towns for the Massachusetts share of the Merrimack River flood control compact and the Connecticut River flood control compact for state fiscal year 2013. The department shall distribute the moneys in the manner prescribed in RSA 122:4, I. This appropriation is in addition to any other appropriations to the department. The remainder of the settlement moneys shall lapse to the general fund.

309 Flood Control; Reimbursement of Cities and Towns. Amend RSA 122:4, I to read as follows:

I. On a date not later than 30 days following the establishment and approval of tax rates for each city and town affected by and subject to the provisions of this chapter, the state treasurer shall pay to each town and city in which any taxable real estate or interest therein has been acquired under this chapter by the United States and thus become tax exempt for such year, ***excluding property acquired under the interstate flood compacts contained in RSA 484:1 and RSA 484:7,*** a sum equal to the taxes which would have been assessed against the real estate or interest therein in such town or city if the same had been included in the list of taxable property as proposed by the commissioner of revenue administration in RSA 122:6. For land acquired by the United States under this chapter, reimbursement shall be made upon a valuation determined as provided herein on a permanently continuing basis, and if growing wood and timber was taxable as real estate on the date of acquisition by the United States of the land on which it stood, it shall be deemed to be land hereunder. For all artificial improvements on land acquired by the United States under this chapter, including buildings, structures and other artificial real estate fixtures of any kind, reimbursement shall be made upon a valuation determined initially as provided herein and thereafter annually reduced by 2- 1/2 percent so that at the end of 40 years reimbursement therefor shall have terminated. On land and improvements thereon acquired by the United States under this chapter the initial assessed valuation of the land and improvements for

purposes of reimbursement shall be the locally assessed valuation thereon for the tax year in which acquired as adjusted by the assessors and the commissioner of revenue administration acting as a joint board, so as to make such valuation proportional to the value of all other property in such town or city subject to taxation. For purposes of this section the joint board may subdivide such assessment equitably between land and improvements thereon or between real estate acquired and that not acquired, if the official assessment was not thus subdivided. The valuations of improvements thus determined shall thereafter be annually reduced over a 40-year period as above provided. On land, and artificial improvements, the valuations initially established as above provided in a town or city shall be reviewed by the commissioner at least once in every 5 years and more frequently if reasonably necessary and be changed as necessary to make them proportional with the assessed value of all other taxable property in such town or city. The amount of the reimbursement due to each town and city hereunder shall be determined by the commissioner and certified by it to the state treasurer not later than 30 days following the establishment and approval of the tax rates of each town and city under this chapter. The commissioner shall reduce the amount of reimbursement thus determined by any amount paid or due that town or city for that year by or from the United States, another state, [~~an interstate flood control agency~~] or other source, because of such loss of taxable valuation. [~~The governor is authorized to draw a warrant for the payment of such reimbursements out of any money in the treasury not otherwise appropriated.~~] Provided, however, that reimbursement payments for loss of taxes on account of the acquisition of railroad or public utility property shall be reduced to the extent that such railroad or public utility property is relocated and reconstructed in the same town or city as a result of such acquisition, and thereby is included to that extent in the list of taxable property in said town or city as relocated.

310 New Paragraphs; Flood Control; Reimbursement to Cities and Towns. Amend RSA 122:4 by inserting after paragraph II the following new paragraphs:

III. The commissioner of the department of revenue administration shall determine the amount owed to cities and towns under the Connecticut River Valley flood control compact under RSA 484:1 and the Merrimack River Valley flood control compact under RSA 484:7. The department shall pay to cities and towns affected by the compacts the New Hampshire share of payments owed under the compacts, which shall be equal to 10 percent of the total amount owed to cities and towns under the Connecticut River Valley flood control compact and 30 percent of the total amount owed to cities and towns under the Merrimack River Valley flood control compact. The governor is authorized to draw a warrant for sums sufficient to make such payments out of any money in the treasury not otherwise appropriated. The department shall not pay to cities and towns the share of payments owed by Massachusetts or Connecticut unless payment is received from those states, in which case the department shall distribute payment to cities and towns in accordance with paragraph IV.

IV. The department of revenue administration shall distribute to cities and towns affected by the Merrimack River Valley and Connecticut River Valley flood control compacts any money received from the Commonwealth of Massachusetts and the state of Connecticut under the compacts. The department shall distribute such money to cities and towns on a pro rata basis, based on the amounts owed to cities and towns as determined by the department in accordance with paragraph III. The department shall make such payments within 30 days of receipt of any money received.

311 Distribution of Meals and Rooms Tax; Division of Travel and Tourism Development. The provisions of RSA 78-A:26, I(b), crediting a portion of meals and rooms tax revenue to the department of resources and economic development, division of travel and tourism development, are hereby suspended for the biennium ending June 30, 2017.

312 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the fiscal year ending June 30, 2017, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office, provided the sheriff shall have entered a memorandum of understanding with the judicial branch addressing the sheriff's responsibilities, bailiffs' duties and training and certification requirements, staffing requirements and emergency plans for each courthouse, security incident reporting, and equipment responsibilities.

313 Entry Fees; Pro Hac Vice. Amend RSA 490:24,I to read as follows:

I. For the benefit of the state, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or other document supplementary to the entered case, and for any service rendered by the clerk, such fees as

shall from time to time be established by the court. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

314 Judicial Branch Family Division Clerks; Fees. Amend RSA 490-D:12, II to read as follows:

II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

315 Superior Court Fees. Amend RSA 499:18 to read as follows:

II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

316 District Court Fees. Amend RSA 502-A:28, II to read as follows:

II. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

317 Probate Court Entry Fees. Amend RSA 547:27-c, II to read as follows:

II. The clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid ***with 50 percent deposited*** into the law library revolving fund established in RSA 490:25, III ***and 50 percent deposited into the general fund***.

318 Statement of Purpose. The general court hereby establishes a project whereby felony complaints and misdemeanors and violation level charges directly related to those felonies shall be filed exclusively with the superior court. This project shall be referred to as the felonies first project. The purpose of this project is to more effectively manage the flow of felony cases and related misdemeanors and violation level charges from case initiation through disposition. The general court finds that this will result in significant time savings for the court, lawyers, and litigants, leading to more effective justice earlier in the court process.

319 New Chapter; Criminal Procedure in Superior Court. Amend RSA by inserting after chapter 592-A the following new chapter:

CHAPTER 592-B
CRIMINAL PROCEDURE IN SUPERIOR COURT

592-B:1 Jurisdiction. The superior court shall have exclusive jurisdiction over felony complaints and misdemeanors and violation level charges that are directly related to those felonies. The superior court shall also have jurisdiction over de novo appeals of class A misdemeanors pursuant to RSA 599:1.

592-B:2 Implementation Plan.

I. Beginning January 1, 2016, the felonies first project shall become effective in the Cheshire county and Strafford county superior courts.

II. This chapter shall take effect in the remaining superior courts as of the date set forth in an order issued by the supreme court. The remaining superior courts shall be added to the project in approximately the following order:

(a) Merrimack county superior court.

(b) Carroll county superior court and Belknap county superior court.

(c) Hillsborough county superior court-northern district and Hillsborough county superior court-southern district. The municipalities included in each district shall be as listed in RSA 496:1.

(d) Grafton county superior court and Coos county superior court.

(e) Rockingham county superior court and Sullivan county superior court.

III. All felony and any directly related misdemeanors or violation level offenses alleged to have occurred on or after the effective date of this chapter in the county in which the offense allegedly occurred shall be filed in the superior court. All felony and any directly related misdemeanors or violation level offenses alleged to have occurred prior to the effective date of this chapter in the applicable county shall be filed under the law as it existed at the time of the alleged offense.

IV. The supreme court shall adopt rules and issue orders to effectuate the purposes of the felonies first project.

V. During the implementation of the felonies first project, this chapter shall supersede any statutory references to the filing of felony charges in circuit court district division or other statutes that are inconsistent with this chapter.

VI. Prior to the implementation of this chapter in counties other than Cheshire county and Strafford county, the supreme court shall issue a report on the implementation of this chapter to the senate president, the speaker of the house of representatives, and the chairpersons of the senate and house judiciary committees. Beginning January 1, 2017 and ending in January, 2020, the supreme court shall issue an annual report on the implementation of this chapter to the senate president, the speaker of the house, and the chairpersons of the senate and house judiciary committees

592-B:3 Commencement of Criminal Proceeding.

I. Criminal proceedings in superior court shall be commenced by the filing of a complaint by the attorney general, county attorney or the county attorney's designee, or by indictment by the grand jury. If a complaint is filed, the accused shall subsequently be indicted by a grand jury or waive grand jury indictment pursuant to RSA 601:2 for the case to proceed.

II. The complaint shall be addressed to the court and shall set forth by name or description the party accused and the offense charged. The description of an accused may include an identifiable ridge skin impression or a DNA profile. A complaint that contains only an identifiable ridge skin impression or DNA profile, and that alleges one or more of the following offenses shall, upon its filing, toll the applicable statute of limitations under RSA 625:8 for:

(a) Capital murder under RSA 630:1.

(b) First degree murder under RSA 630:1-a.

(c) Second degree murder under RSA 630:1-b.

(d) Manslaughter under RSA 630:2.

(e) Negligent homicide under RSA 630:3.

(f) First degree assault under RSA 631:1.

(g) Second degree assault under RSA 631:2.

(h) Aggravated felonious sexual assault under RSA 632-A:2.

(i) Felonious sexual assault under RSA 632-A:3.

(j) Kidnapping under RSA 633:1.

(k) Arson under RSA 634:1, I-III.

(l) Robbery under RSA 636:1.

592-B:4 Warrants. A justice of the peace or justice of the superior or circuit court, upon such complaint or indictment, may issue a warrant for the arrest of the person so charged with an offense committed or triable in the county, directed to the sheriff of any county or his deputy or to any constable or police officer of any town in the county.

592-B:5 When Warrants Returnable to Superior Court. If such warrant is issued, it shall be made returnable before the superior court having jurisdiction over the case and not elsewhere.

592-B:6 Discovery.

I. Prior to indictment, the accused shall have the same rights to discovery and deposition as the accused has subsequent to indictment, provided that all judicial proceedings with respect thereto shall be within the jurisdiction of the superior court, and notice of petition and hearing shall be given to the county attorney, or to the attorney general if the attorney general shall have entered the case.

II. For incarcerated defendants, the state shall provide or make available to defense counsel copies of all discovery in its possession, no more than 10 calendar days after the arraignment of the

defendant, unless otherwise ordered by the court. For non-incarcerated defendants, the state shall provide or make available to defense counsel copies of all discovery in its possession, no more than 20 calendar days after the arraignment of the defendant, unless otherwise ordered by the court. The state may request an extension of the discovery deadlines for complex case types.

III. The state shall have a continuing obligation to provide discovery to defendants as it becomes available.

592-B:7 Probable Cause.

I. A defendant may challenge probable cause during the period from arrest to indictment by motion requesting a probable cause hearing under the following conditions:

(a) A complaint has been filed in superior court;

(b) The defendant has not been indicted by the grand jury; and

(c) The defendant asserts a claim that a material element of the charge is without factual basis or that the charge is legally insufficient to constitute a felony offense.

II. Upon review of the motion, the court shall determine whether a hearing is necessary to assist the court in its determination of probable cause. If a hearing is scheduled, it shall be held as soon as the court docket permits, but in any event within 10 days of the filing of the motion if the defendant is incarcerated and within 20 days of the filing of the motion if the defendant is not incarcerated.

III. If an arrest is supported by an affidavit that was filed under seal, and the affidavit remains under seal at the time of the request for a probable cause hearing, a hearing shall be scheduled.

IV. If a hearing is held, the state shall bear the burden of proving there is probable cause to believe that a felony has been committed and that the person charged has committed it. At the hearing, the defendant may cross-examine witnesses and present evidence.

320 Competency; Commitment for Evaluation. Amend RSA 135:17, I(a)-(b) to read as follows:

I.(a) When a person is charged or indicted for any offense, or is [~~bound over by any district or superior court to await~~] ***awaiting*** the action of the grand jury ***on any felony***, the [~~district~~] ***circuit*** or superior court before which he or she is to be tried, if a plea of insanity is made in court, or said court is notified by either party that there is a question as to the competency or sanity of the person, may make such order for a pre-trial examination of such person by a qualified psychiatrist or psychologist on the staff of any public institution or by a private qualified psychiatrist or psychologist as the circumstances of the case may require, which order may include, though without limitation, examination at the secure psychiatric unit on an out-patient basis, the utilization of local mental health clinics on an in- or out-patient basis, or the examination of such person, should he or she be incarcerated for any reason, at his or her place of detention by qualified psychiatrists or psychologists assigned to a state or local mental health facility. Such pre-trial examination shall be completed within 45 days in the case of a person being held at a county correctional facility, otherwise 90 days after the date of the order for such examination, unless either party requests an extension of this period. For the purposes of this paragraph and RSA 135:17-a, III, "qualified" means board-eligible or board-certified in forensic psychiatry or psychology, or demonstrated competence and experience in completing court-ordered forensic criminal evaluations. A licensed out-of-state psychiatrist or psychologist who meets the definition of qualified may also conduct evaluations under this paragraph and RSA 135:17-a, III.

(b) In cases where the person is being held at a county correctional facility ***or the New Hampshire state prison***, the facility may request a pre-trial examination of such person for the purpose of determining if the person is competent to stand trial. Such request shall be reviewed, and a decision rendered by the district or superior court before which he or she is to be tried.

321 Competency; Commitment for Evaluation. Amend the introductory paragraph of RSA 135:17, II to read as follows:

II. The [~~district~~] ***circuit*** or superior court may allow the parties to obtain separate competency evaluations if such request is made and the circumstances require it. The competency evaluations shall address:

322 Study, Treatment and Care of Inebriants; Acceptance and Admissions. Amend RSA 172:13, II to read as follows:

II. When a person is indicted for any felony[~~, is bound over by any district or municipal court to await~~] ***or is awaiting*** the action of the grand jury on any felony, or is charged with a misdemeanor, and question as to the drug or alcohol dependency of the person is raised by either party, any justice of the superior[~~, district~~] or [~~municipal~~] ***circuit*** court ***having jurisdiction over the matter*** may, after

hearing, order such person to be examined in accordance with the instructions of the commissioner to determine whether said person is drug or alcohol dependent. The commissioner shall report the results of the examination and his findings to the court in writing.

323 Jurisdiction and Procedure Generally; Superior Court. Amend RSA 592-A:1 to read as follows:

592-A:1 Superior Court. The superior court has jurisdiction of all criminal cases and proceedings; but it may dismiss a prosecution originally begun therein which is within the jurisdiction of a [~~district or municipal~~] ***circuit*** court.

324 Search Warrants; Requisites of Warrant. Amend RSA 595-A:2 to read as follows:

595-A:2 Requisites of Warrant. Search warrants shall designate or describe the person, building, vessel, or vehicle to be searched and shall particularly describe the property or articles to be searched for. They shall be substantially in the form prescribed in RSA 595-A:3 and shall be directed to a sheriff or his deputy or to a constable or police officer, commanding him to search in the daytime, or if the warrant so directs, in the nighttime, the person, building, vessel, or vehicle where the property or articles for which he is required to search are believed to be concealed, and to bring such property or articles when found, and the persons in whose possession they are found, before any [~~district~~] ***circuit*** or [~~municipal~~] ***superior*** court named therein.

325 Preliminary Examinations; Adjournments. Amend RSA 596-A:1 to read as follows:

596-A:1 Adjournments. When an accused person is brought before a [~~district or municipal~~] ***circuit*** court, upon a warrant or complaint, for trial [~~or preliminary examination~~], the proceedings may be adjourned for cause, from time to time, as shall be adjudged reasonable, and the accused may be detained in custody, or required to recognize, with or without sureties, for [~~his~~] ***the accused's*** appearance, as the nature of the case may require.

326 Bail and Recognizances; Probationees and Parolees. Amend RSA 597:1-d, I to read as follows:

I. If there is a judicial finding of probable cause to believe that a person has committed a violation of RSA 630, RSA 631, RSA 632-A:2-4 or RSA 633:1-3 from an arrest warrant affidavit [~~or an affidavit issued pursuant to district court administrative order number 91-03 or any other district court administrative order which supercedes it~~] and the person is on probation or parole for a conviction of a violent crime listed in RSA 651:4-a or a substantially similar crime in any state or federal court in this or any other state, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, it is presumed that release on bail and imposition of any condition or set of conditions listed in RSA 597:2 will not reasonably assure the appearance of the person as required and will endanger the safety of the person or of any other person or the community.

327 Bail and Recognizances; When Requirable. Amend RSA 597:5 to read as follows:

597:5 When Requirable. Every court and justice may, when a person is accused of an offense in which said court or justice is authorized to receive bail, release said person on personal recognizance or require [~~him~~] ***said person*** to recognize, with sureties, to appear at a future time before [~~himself~~] ***said court or justice*** or any other competent tribunal. ***Bail in felony cases is returnable only to the superior court.***

328 Chapter Heading. Amend the chapter heading of RSA 599 to read as follows:

CHAPTER 599

APPEALS FROM CONVICTIONS IN [~~MUNICIPAL OR DISTRICT~~] ***CIRCUIT*** COURT

329 Appeals From Convictions in Circuit Court. Amend RSA 599:1 to read as follows:

599:1 Appeals. A person convicted by a [~~district~~] ***circuit*** court of a class A misdemeanor, at the time the sentence is declared, may appeal therefrom to obtain a de novo jury trial in the superior court, which shall hear the appeal. The appeal shall be entered by the defendant at the next return day unless for good cause shown the time is extended by the superior court. If, after a jury trial in the superior court, the defendant is found guilty, the superior court shall sentence the defendant, and the defendant may appeal questions of law arising therefrom to the supreme court. In the event the defendant waives the right to jury trial after the case has been appealed, the superior court shall forthwith remand the case to the [~~district~~] ***circuit*** court for imposition of the sentence originally imposed by the [~~district~~] ***circuit*** court, and the defendant may appeal questions of law arising therefrom to the supreme court. In all misdemeanor cases which are appealed to superior court[~~, or in which defendants are bound over~~], it shall be the duty of the superior court to transmit to the justice of the [~~district~~] ***circuit*** court, within 10 days after the case is finally disposed of, a certificate showing the final disposition of the case.

330 Indictments, Informations, and Complaints; Waiving Indictment. Amend RSA 601:2 to read as follows:

601:2 Waiving Indictment. Any person who has been [~~bound over or~~] committed by a justice [~~or district or municipal court under the provisions of RSA 592-A:4 or 6~~] for trial in the superior court upon a complaint charging a crime not punishable by death, and who desires to waive indictment, [~~may apply in writing to the superior court for prompt arraignment upon such complaint~~] ***shall notify the court.*** Upon [~~the filing of such an application,~~] ***such notification, the attorney general or*** the county attorney may, with the approval of the court, proceed against the defendant by complaint, and in such case [~~he~~] ***the defendant*** shall be held to answer and the court shall have as full jurisdiction of the complaint as if an indictment had been found. The arraignment of the defendant shall be at such time as the court may designate. Every person when so committed [~~or bound over~~] upon such a complaint shall be notified by the court of his right to apply for waiver of indictment and prompt arraignment as aforesaid.

331 Arrests in Criminal Cases; Place and Time of Detention. Amend RSA 594:20-a to read as follows:

594:20-a Place and Time of Detention.

I. When a person is arrested with or without a warrant he or she may be committed to a county correctional facility, to a police station or other place provided for the detention of offenders, or otherwise detained in custody; provided, however, that he or she shall be taken before a [~~district~~] ***circuit*** court***, or a superior court in the case of felony complaints and misdemeanors and violation level charges that are directly related to those felonies,*** without unreasonable delay, but not exceeding 24 hours, Saturdays, Sundays, and holidays excepted, to answer for the offense.

II. Notwithstanding the provisions of paragraph I, defendants detained under RSA 173-B shall have timely access to a bail hearing by telephonic means or otherwise as determined by the [~~district~~] ***circuit*** court ***or the superior court in the case of felony complaints and misdemeanors and violation level charges that are directly related to those felonies.***

332 Indictments, Informations, and Complaints; Additional Charges. Amend RSA 601:3 to read as follows:

601:3 Additional Charges. If the ***attorney general or the*** county attorney desires to charge a defendant making application under RSA 601:2 with a crime or crimes not punishable by death other than a crime charged in the complaint upon which the defendant has been committed [~~or bound over~~], the ***attorney general or the*** county attorney may, before consenting to such application, prepare a complaint or complaints charging such other crime or crimes and serve the same upon the defendant in order that he may have an opportunity to waive indictment upon such other charges. [~~If an application for waiver of indictment as to any such other charge is subsequently filed, the court shall, before approving such application, require an affidavit of service upon the defendant as part of the record of the case.~~] The superior court shall by rule establish forms for application to waive indictment under this chapter and may by rule make such other regulations of procedure under this chapter as justice may require.

333 Repeal. The following are repealed:

I. RSA 502-A:13, relative to binding over by district court.

II. RSA 592-A:4, relative to binding over by justice.

III. RSA 596-A:2, relative to the record in preliminary examinations.

IV. RSA 596-A:3, relative to caution to accused in preliminary examinations.

V. RSA 596-A:4, relative to procedure in preliminary examinations.

VI. RSA 596-A:5, relative to testimony of the accused in preliminary examinations.

VII. RSA 596-A:6, relative to excluding witnesses in preliminary examinations.

VIII. RSA 596-A:7 relative to commitment and bail in preliminary examinations.

IX. RSA 597:6 relative to appearance at superior court.

X. RSA 597:11 relative to copies and binding over.

XI. RSA 604:1-a relative to discovery in criminal matters.

334 Application; Contingency. Sections 318-333 of this act shall take effect on January 1, 2016 in Cheshire county and Strafford county. This act shall take effect in the remaining counties as of the date set forth in an order of the supreme court as provided for in RSA 592-B:2, II, which order shall be issued at least 90 days prior to the effective date of the act in a particular county. The repeals in section 15 of this act shall take effect on the date on which this act is effective for all counties. In addition to such other notice as the supreme court deems necessary, the court shall send copies of its orders implementing this act in counties other than Cheshire and Strafford to the secretary of state and the director of legislative services.

335 Pistols and Revolvers; Armed Career Criminals. Amend RSA 159:3-a, II-III to read as follows:

II. Any person who violates paragraph I shall be guilty of a felony and, notwithstanding RSA 651:2, II, shall be sentenced to a [~~minimum mandatory term of 10 years imprisonment and a~~] maximum term of imprisonment of not more than 40 years and shall be fined not more than $25,000.

III. Notwithstanding any other provision of law, neither the whole, nor any part of the [~~minimum mandatory~~] sentence provided under paragraph II shall be served concurrently with any other term, nor shall the whole or any part of such additional term of imprisonment be suspended or deferred. No action brought to enforce sentencing under this section shall be continued for sentencing, nor shall the provisions of RSA 651:20 relative to suspensions or RSA 651-A relative to parole apply to any sentence of imprisonment imposed.

336 Habitual Offenders; Penalty. Amend RSA 262:23 to read as follows:

262:23 Penalty.

I. It shall be unlawful for any person to drive any motor vehicle on the ways of this state while an order of the director or the court prohibiting such driving remains in effect. If any person found to be an habitual offender under the provisions of this chapter is convicted of driving a motor vehicle on the ways of this state while an order of the director or the court prohibiting such operation is in effect, he or she shall be guilty of a felony and sentenced, notwithstanding the provisions of RSA title LXII, to imprisonment for not [~~less than one year nor~~] more than 5 years. No [~~portion of the minimum mandatory sentence shall be suspended, and no~~] case brought to enforce this chapter shall be continued for sentencing; provided, however, that any sentence or part thereof imposed pursuant to this section may be suspended in cases in which the driving of a motor vehicle was necessitated by situations of apparent extreme emergency which required such operation to save life or limb. Any sentence of one year or less imposed pursuant to this paragraph shall be served in a county correctional facility. The sentencing court may order that any such offender may serve his or her sentence under home confinement pursuant to RSA 651:19 based on the rules and regulations of the county correctional facility where the sentence is to be served [~~for the minimum mandatory term or any portion thereof~~], provided the offender first serves 14 consecutive days of imprisonment prior to eligibility for home confinement. Habitual offenders shall only be eligible for the home confinement program once per lifetime. Any sentence of more than one year imposed pursuant to this paragraph shall be served in the state prison.

II. For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his license, permit or privilege to drive is suspended or revoked, or is charged with driving without a license, the court before hearing such charge shall determine whether such person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state. For the purposes of this section, in determining whether the person has been held an habitual offender and by reason of such holding is barred from driving a motor vehicle on the ways of this state, a certified copy of the individual's motor vehicle record on file with the division shall be as competent evidence in any court within this state as the original record would be if produced by the director as legal custodian thereof.

III. [~~Notwithstanding paragraph I, any person who qualifies under RSA 259:39 shall not be subject to the minimum mandatory provisions of paragraph I if, and only if, that person's certification was not based on any conviction under RSA 265-A:2, I or any misdemeanor or felony motor vehicle conviction pursuant to RSA title XXI, and that person has not been convicted of any such offense, or any reasonably similar offense in any jurisdiction within the United States and Canada, since the date of the certification; provided, however, that any such person shall be guilty of a class A misdemeanor and may be sentenced to one year or less.~~] Any person incarcerated upon the effective date of this paragraph, pursuant to certification as an habitual offender under RSA 259:39, who does not have a conviction under RSA 265-A:2, I involving a vehicle or any misdemeanor or felony motor vehicle convictions pursuant to RSA title XXI, may apply immediately to the superior court for sentence review and reduction.

337 License Suspension and Revocation; Driving After Revocation or Suspension. Amend RSA 263:64, IV to read as follows:

IV. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265:79 or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor. Any person who violates this section

by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, RSA 265:82, or RSA 265:82-a or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor and shall be sentenced to imprisonment for a period not [~~less~~] ***more*** than 7 consecutive 24-hour periods to be served within 6 months of the conviction, shall be fined not more than $1,000, and shall have his or her license or privilege revoked for an additional year. [~~No portion of the minimum mandatory sentence of imprisonment shall be suspended by the court.~~] No case brought to enforce this paragraph shall be continued for sentencing for longer than 35 days. [~~No person serving the minimum mandatory sentence under this paragraph shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by title LXII or any other provision of law.~~]

338 Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, I(c)(3) to read as follows:

(3) Sentenced to [~~a mandatory sentence of not less~~] ***not more*** than 35 consecutive days in the county correctional facility, of which 21 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 14 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

339 Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, IV(a)-(b) to read as follows:

(a) For a second offense:

(1) The person shall be guilty of a class A misdemeanor;

(2) The person shall be fined not less than $750;

(3)(A) If the complaint alleges that the prior conviction occurred within 2 years preceding the date of the second offense, the person shall be sentenced to [~~a mandatory sentence of not less~~] ***not more*** than 60 consecutive days in the county correctional facility, of which 30 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period;

(B) If the complaint alleges that the prior conviction occurred more than 2 but not more than 10 years preceding the date of the second offense, the person shall be sentenced to [~~a mandatory sentence of not less~~] ***not more*** than 17 consecutive days in the county correctional facility, of which 12 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 5 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period; and

(4) The person's driver's license or privilege to drive shall be revoked for not less than 3 years. The person's driver's license or privilege to drive shall not be restored by the department until the person shall have completed the service plan developed by the IDCMP, and paid all relevant fees.

(b) For a third offense, any person convicted under this paragraph shall be subject to all the penalties of subparagraph (a) except that:

(1) The person's driver's license or privilege to drive shall be revoked indefinitely and shall not be restored for at least 5 years. At the end of the 5-year minimum revocation period the person may petition the court for eligibility to reapply for a driver's license and the court, for good cause shown, may grant such eligibility subject to such terms and conditions as the court may prescribe. Any untimely petition under this subparagraph shall be dismissed without a hearing. If such petition is granted and the person is otherwise eligible for license restoration, the person may then apply to the director for restoration of driver's license, but the license shall not be restored until all requirements under law are met. The person's driver's license or privilege to drive shall not be restored by the department until the person shall have completed the service plan developed by the IDCMP, and paid all relevant fees.

(2) The person shall be sentenced to [~~a mandatory sentence of not less~~] ***not more*** than 180 consecutive days of which 150 shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 30 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period. The remainder of the sentence may be deferred for a period of up to 2 years. The court may, at the satisfactory completion of any required treatment, suspend any remaining deferred sentence.

340 Penalties for Intoxication or Under Influence of Drugs Offenses. Amend RSA 265-A:18, VII to read as follows:

VII. [~~No portion of the minimum mandatory sentence of imprisonment and no portion of the mandatory sentence of the period of revocation and no portion of any fine imposed under this section shall be suspended or reduced by the court.~~] No case brought to enforce this section shall be continued for sentencing for longer than 35 days. [~~No person serving the minimum mandatory sentence under this section shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by RSA title LXII or any other provision of law.~~]

341 Controlled Drug Act; Penalties. Amend RSA 318-B:26, V-VI to read as follows:

V. Any person who violates this chapter by manufacturing, selling, prescribing, administering, dispensing, or possessing with intent to sell, dispense, or compound any controlled drug or its analog, in or on or within 1,000 feet of the real property comprising a public or private elementary, secondary, or secondary vocational-technical school, may be sentenced to a term of imprisonment or fine, or both, up to twice that otherwise authorized by this section. [~~Except to the extent a greater minimum sentence is otherwise provided by this chapter, a sentence imposed under this paragraph shall include a mandatory minimum term of imprisonment of not less than one year. Neither the whole nor any part of the mandatory minimum sentence imposed under this paragraph shall be suspended or reduced.~~]

VI. Except as otherwise provided in this paragraph, a person convicted under RSA 318-B:2, XII as a drug enterprise leader [~~shall be sentenced to a mandatory minimum term of not less than 25 years and~~] may be sentenced to a maximum term of not more than life imprisonment. The court may also impose a fine not to exceed $500,000 or 5 times the street value of the controlled drug or controlled drug analog involved, whichever is greater. [~~Upon conviction, the court shall impose the mandatory sentence unless the defendant has pleaded guilty pursuant to a negotiated agreement or, in cases resulting in trial, the defendant and the state have entered into a post-conviction agreement which provides for a lesser sentence. The negotiated plea or post-conviction agreement may provide for a specified term of imprisonment within the range of ordinary or extended sentences authorized by law, a specified fine, or other disposition. In that event, the court at sentencing shall not impose a lesser term of imprisonment or fine than that expressly provided for under the terms of the plea or post-conviction agreement.~~]

342 Methamphetamine-Related Offenses; Manufacture of Methamphetamine. Amend RSA 318-D:2, II to read as follows:

II. Notwithstanding the provisions of RSA 318-B:26, I, a person convicted under this section may be sentenced to imprisonment for not more than 30 years, a fine of not more than $500,000, or both. A person convicted under this section who has one or more prior offenses as defined in RSA 318-B:27, [~~shall~~] ***may*** be sentenced ***up*** to [~~imprisonment for not less than 5 years and not more than~~] life imprisonment, ***and*** a fine of not more than $500,000, or both.

343 Discretionary Sentences; Release for Purpose of Gainful Employment, Rehabilitation, or Home Confinement. Amend RSA 651:19, I to read as follows:

I.***(a)*** A sentencing court may recommend at the time of sentencing, or the superintendent of the county correctional facility may, at any time during the sentence, allow any person who has been committed to a correctional institution other than state prison under a criminal sentence to be released therefrom for the purpose of obtaining and working at gainful employment, for the performance of uncompensated public service as provided in RSA 651:68-70, under the terms of a day reporting program, provided the correctional facility has a day reporting program, or to serve the sentence under home confinement, provided the correctional facility has a home confinement program.

(b) A sentencing court shall include the use of home confinement in the sentencing orders for any person convicted of a nonviolent offense with no minimum sentence, subject to the provisions of paragraphs II-IV. In this subparagraph, "nonviolent offense" shall have the same meaning as in RSA 651-A:2, VI.

344 Reference Change. Amend RSA 176:16, IV to read as follows:

IV. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper funding of retirement and health benefits for commission employees, the [~~commission~~] ***commissioner*** may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize the transfer of funds from the liquor commission fund.

345 Transfer of funds; Liquor Commission. RSA 176:16, V is repealed and reenacted to read as follows:

V. The commissioner is authorized to transfer funds within and among all accounting units within the commission's operating budget and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department. Any transfer of $75,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.

346 Site Evaluation Committee Fund. Amend RSA 162-H:21, II to read as follows:

II. The site evaluation committee fund shall be funded upon request of the committee by a one-time grant, not to exceed $500,000, which may be received in installments, from the renewable energy fund established in RSA 362-F:10. The initial transfer to the fund shall occur following approval by the fiscal committee of the general court of a proposed budget plan for fiscal year 2015 as provided in paragraph III. Any subsequent transfer requests of the one-time grant from the renewable energy fund shall require prior approval of the fiscal committee. ***Any unused portions of the $500,000 shall not lapse and may be budgeted and expended by the site evaluation committee for the biennium ending June 30, 2017.***

347 New Section; Employee Health Insurance. Amend RSA 21-I by inserting after section 26 the following new section:

21-I:26-a Excise Tax; Patient Protection and Affordable Care Act. The state, or any political subdivision of the state, shall not provide any health insurance plan to its employees subject to the excise tax on high cost employer-sponsored health coverage under the Patient Protection and Affordable Care act of 2009, Public Law 111-148, as amended, unless the expenses associated with such tax is borne by the plan participants. The expenses arising from the excise tax shall not be transferred to the public.

348 Applicability. Section 347 of this act shall not apply to any health insurance plan in effect on the effective date of this act.

349 Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium ending June 30, 2017, any state agency or department is authorized, with the prior written approval of the department of administrative services, to enter into agreements to rent, lease, or lease-purchase

vehicles and equipment from any outside vendor or to rent or lease vehicles and equipment from any other state agency or department. Any lease-purchase agreements entered into under this provision are exempt from approval by governor, with the advice of council, under RSA 4:15.

350 Fees Increased. Amend RSA 261:141, III(cc) to read as follows:

(cc) For each vanity number plate set—[~~$40~~] ***$43***.

351 Allocation of Unrestricted Highway Fund Appropriations. RSA 9:9-b is repealed and reenacted to read as follows:

9:9-b Allocation of Unrestricted Highway Fund Appropriations. In each biennium, highway fund appropriations, including costs of collections of the department of safety, shall be subject to the following limitations:

I. Department of transportation: Not less than 73 percent of anticipated total gross road toll and motor vehicle fees and fines for the biennium.

II. Department of safety: Not to exceed 26 percent of total anticipated gross road toll and motor vehicle fees and fines for the biennium.

III. All other agencies: Not to exceed 1 percent of total anticipated gross road toll and motor vehicle fees and fines for the biennium.

352 Highway Fund; Construction and Reconstruction Aid; Apportionment. Amend RSA 235:23, I to read as follows:

I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12[~~%~~] ***percent*** of the [~~total~~] ***gross*** road toll revenue and motor vehicle fees collected in the preceding fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute.

I-a. Apportionment A calculations in paragraph I shall not include the amount of road toll revenue attributable to rates that exceed $.18 per gallon in each fiscal year for the biennium ending June 30, 2017.

353 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of [~~$2,000~~] ***$2,036*** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school.

354 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(b)(1) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of $2,036 ***for the Virtual Learning Academy Charter School and $3,036 for all other chartered public schools*** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. ***Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor.***

355 Lottery Commission; Authority to Purchase Real Property Granted. The lottery commission, in consultation with the department of administrative services, is hereby authorized to purchase, in the name of the state, land and buildings to serve as the lottery commission's headquarters. Such purchase shall be completed during the biennium ending June 30, 2017 and shall require approval of the fiscal committee of the general court and the governor and council.

356 Repeal. RSA 284:21-u, relative to the prohibition on future employment of certain employees of the lottery commission, is repealed.

357 Lottery Commission; Executive Director. Amend RSA 284:21-b to read as follows:

284:21-b Organization.

I. The commissioners shall select one from their number to be chairperson and another to be secretary of the commission. Two of the members of the commission shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the commission and to preserve all books, documents, papers and records addressed to its care.

II. The commissioners shall appoint an executive director who shall receive the annual salary prescribed by RSA 94:1-a. The lottery executive director shall hold office for a term of 4 years. If a vacancy shall occur, it shall be filled for the remainder of the term. The lottery executive director may be removed by the commission for cause. Upon the effective date of this paragraph, the person who was the executive director shall commence the beginning of the first 4 year term, subject to renewal.

358 New Paragraph; Building Code Review Board; Travel Reimbursement. Amend RSA 155-A:10 by inserting after paragraph VI the following new paragraph:

VII. Members of the board shall receive mileage at the rate established in the United States Internal Revenue Code and Regulations when attending meetings of the board for the round trip distance from their residences to the location of the board meeting.

359 Department of Safety; Transfer Among Accounts. Notwithstanding any provision of law to the contrary, except RSA 9:17-c and RSA 99:4, for the biennium ending June 30, 2017, the commissioner of the department of safety is hereby authorized to transfer funds between and among all class lines and accounting units within the department as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that any transfer over $75,000 shall require prior approval of the fiscal committee of the general court.

360 Health and Human Services; Nursing Home Appropriations. Amend 2013, 143:1, accounting unit 05-95-48-481510-5942 by replacing the organizational notes immediately following such accounting unit with the following:

ORGANIZATION NOTES

*The appropriation contained in classes 504, 505, 506, and 529 may only be transferred between and among said classes. The appropriations shall not lapse or be used for any other purpose. The appropriations shall not be considered for budget reductions required pursuant to sections 10 and 14 of this act or any other budget reduction, including executive orders required of the department of health and human services. Any balance remaining at the end of each fiscal year shall be paid as additional rates based upon the rate setting methodology in effect at that time in a special rate adjustment.

361 Health and Human Services; Nursing Home Appropriations. Pursuant to the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, for any balance that remained at the end of fiscal year 2014, the department of health and human services shall pay the entire amount immediately upon passage of this act in a special rate adjustment. Upon payment of a special rate adjustment made pursuant to this act, the department shall report the total amount of surplus, by source of funds, the total amount paid, and the date payment was made to the fiscal committee of the general court.

362 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2017.

363 Certificate of Need; Repeal. Upon repeal of the certificate of need law on June 30, 2016, pursuant to 2013, 144:84, the unexpended balance of any fees collected pursuant to 151-C:15 shall be distributed on a prorated basis to the facilities that have paid an annual administrative fee.

364 New Paragraph; Health Facility Licensure; License or Registration Required. Amend RSA 151:2 by inserting after paragraph V the following new paragraph:

VI. No license shall be granted for any new bed in a nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. However, a license shall be issued for replacement or renovation of existing beds as necessary to meet life safety code requirements or to remedy deficiencies noted in a licensing inspection pursuant to RSA 151 or state survey and certification process pursuant to Titles XVIII and XIX of the Social Security Act. In addition, a license may be issued for construction or renovation as necessary to repair or refurbish an existing facility, or to accommodate additional beds obtained by transfer to an existing facility.

365 Contingency. The provisions of section 364 of this act shall only take effect upon the repeal of RSA 151-C pursuant to 2013, 144:84.

366 Health and Human Services; Bureau of Developmental Services; Allocation of Appropriation. The department may, consistent with any applicable federal waiver and regulations, allocate the total appropriation for waiver and non-waiver services made to the bureau of developmental services for fiscal years 2016 and 2017 in a manner the department determines to be the most efficient and effective in serving the eligible population that receives such services and consistent with the goal of maximizing the eligible person's potential for self-sufficiency, independence, and achievement of life goals.

367 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by $3,443,721 for the fiscal year ending June 30, 2016 and by $3,496,746 for the fiscal year ending June 30, 2017. The department shall operate the Sununu Youth Services Center within the allotted budget, or may enter into contracts for operation of the Sununu Youth Services Center, including establishing necessary class lines, as long as total operating costs do not exceed $9,800,000 for the fiscal year ending June 30, 2016, and $10,100,000 for the fiscal year ending June 30, 2017.

368 Effective Date for Repeals Amended. Amend 2014, 3:13, I to read as follows:

I. ***Section 12, paragraph I of this act shall take effect July 1, 2015.***

I-a. Section 12, paragraphs [~~I~~] ***II***-VII of this act shall take effect December 31, 2016.

369 Reference to HIPP Program Deleted. Amend RSA 126-A:5, XXIV(a) to read as follows:

XXIV.(a) There is hereby established the voluntary bridge to marketplace premium assistance program in order to provide medical assistance for newly eligible adults and their spouse and dependents, if applicable[~~, who are ineligible for the HIPP program established in RSA 126-A:5, XXIII~~]. This program shall be administered by the department of health and human services and subject to subparagraph XXV(c) shall terminate on March 31, 2015. In order to receive medical assistance through the program, newly eligible adults shall choose health insurance coverage either from qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective or an alternative benefit plan (ABP) offered by one of the managed care organizations (MCO) awarded contracts as vendors to implement Medicaid managed care under RSA 126-A:5, XIX(a). For the purposes of this paragraph, alternative benefit plan is defined as the Medicaid benchmark or benchmark equivalent coverage in section 1937 of the Social Security Act. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

370 Reference to HIPP Program Deleted. Amend RSA 126-A:5, XXV(a) to read as follows:

XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, [~~who are ineligible for the HIPP program established in RSA 126-A:5, XXIII~~] until December 31, 2016 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective; provided, however, that any newly eligible adult who had coverage under an alternative benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

371 Health and Human Services. Care Management Program. Determination of Provider Rates for Step I and Step II Care Management Services. For the fiscal years 2016 and 2017, the rates paid to providers for home and community-based services under the choices for independence program that are to be incorporated into the department's care management program beginning on January 1, 2016 and the rates paid to providers of nursing services that are to be incorporated into the care management program on July 1, 2016 shall not be established by the department by contract with the managed care organizations or otherwise dictated by the department. The rates paid to providers for home and community-based services, nursing services, all other acute care

medical services provided under Step I of the care management program, and any additional waiver services incorporated into the care management program for any portion of the fiscal years 2016 and 2017 shall be determined through negotiation between the managed care organizations and the providers of such services within the capitated payment for managed care services as approved by the governor and council and the Centers for Medicare and Medicaid Services.

372 Health and Human Services; Generic Drugs Authorization. Amend RSA 126-A:3, V to read as follows:

V. Pharmacists shall substitute generically equivalent drug products for all legend and non-legend prescriptions paid for by the department of health and human services, including the Medicaid program, unless the prescribing practitioner specifies that the brand name drug product is medically necessary. Such notification shall be in the practitioner's own handwriting and shall be retained in the pharmacist's file. The provisions of paragraph III shall not apply to the dispensing by a pharmacy for medical assistance reimbursement for legend and non-legend drugs. The commissioner, in consultation with pharmacy providers, shall establish medical assistance reimbursement for legend and non-legend drugs. ***For Medicaid fee for service clients, no prior authorization for generically equivalent drugs shall be required.***

373 Department of Corrections; Generic Drugs Authorization. Amend RSA 623-C:2, III to read as follows:

III. Pharmacists shall substitute generically equivalent drug products for all legend and non-legend prescriptions paid for by the department of corrections, including the Medicaid program, unless the prescribing practitioner specifies that the brand name drug product is medically necessary. Such notification shall be in the practitioner's own handwriting and shall be retained in the pharmacist's file. The commissioner of the department of corrections may waive the application of RSA 623-C:2, I if the commissioner determines such action is necessary to ensure the availability of prescription and other pharmaceutical services to persons served by the state or to avert serious economic hardship in the provision of prescriptions and other pharmaceutical services. ***For Medicaid fee for service clients, no prior authorization for generically equivalent drugs shall be required.***

374 New Subparagraph; Medicaid Managed Care Program; Commissioner's Duties. Amend RSA 126-A:5, XIX by inserting after subparagraph (d) the following new subparagraph:

(e) The commissioner shall seek all necessary federal approvals, including, but not limited to, Medicaid state plan amendments and Medicaid care management contract approval, to allow the Medicaid managed care organizations to use their own drug formulary in providing pharmacy benefits and contracting with pharmacy providers.

375 Quality Assessment Expenditures; State Expenditures for Long-Term Care Services. For the biennium ending June 30, 2017, notwithstanding the provisions of RSA 151-E:14 and RSA 151-E:15-a, 25 percent of the receipts from the nursing facility quality assessment under RSA 84-C:3 and the ICF quality assessment under RSA 84-D:3 shall be deposited as restricted revenue in accounts of the department of health and human services and shall be used in support of long-term care services and not for any other purpose.

376 Department of Health and Human Services; New Hampshire Hospital 10-Bed Psychiatric Crisis Unit. Amend 2014; 315:2 to read as follows:

315:2 Department of Health and Human Services; New Hampshire Hospital 10-Bed Psychiatric Crisis Unit. The department shall open the 10-bed psychiatric crisis unit established by 2013, 195:1, VII, H no [~~later than July 1, 2015. The department shall use existing appropriations to support any necessary operating costs for the fiscal year ending June 30, 2015~~] ***sooner than July 1, 2016***.

377 Department of Health and Human Services; Consolidation of District Offices. For the biennium ending June 30, 2017, the commissioner of the department of health and human services shall consolidate department of health and human services district offices to achieve a reduction of $1,000,000 in general fund appropriations for the fiscal year ending June 30, 2016, and $1,000,000 for the fiscal year ending June 30, 2017. The commissioner shall provide regular notice of these consolidation efforts to the fiscal committee of the general court.

378 Reference Deleted; Photography Equipment and Supplies. Amend RSA 5:6-d, III to read as follows:

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that

complies with the Help America Vote Act of 2002, Public Law 107-252, [~~or with RSA 659:13, V,~~] reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, and improvements to related information technology, including acquisition and operation of an automated election management system. The secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

379 Repeal. RSA 659:13, V(a), relative to photography equipment and supplies provided by secretary of state, is repealed.

380 Expenditure of Certain Road Toll Revenue. Amend RSA 260:32-b to read as follows:

260:32-b Expenditure of Certain Road Toll Revenue.

I. For the fiscal year ending June 30, 2015, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed $.18 per gallon, less required "Apportionment A'' distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) $12,000,000 shall be expended for the district rehabilitation program with said funds to be distributed equally among the 6 state highway districts.

(b) $13,200,000 shall be expended for the district resurfacing program with said funds to be distributed equally among the 6 state highway districts.

(c) All remaining funds shall be for the purpose of state bridge aid for municipal bridges under RSA 234.

II. For the fiscal year ending June 30, 2016, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed $.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

(b) [~~$8,100,000~~] ***$4,300,000*** shall be expended for the district rehabilitation program with said funds to be distributed equally among the 6 state highway districts.

(c) [~~$13,200,000~~] ***$7,000,000*** shall be expended for the district resurfacing program with said funds to be distributed equally among the 6 state highway districts.

(d) In addition to sums otherwise appropriated, $6,800,000 for state bridge aid for municipal bridges under RSA 234.

(e) All remaining funds [~~deposited into the highway and bridge betterment account under RSA 235:23-a~~] ***shall be restricted revenue to the department of transportation.***

III. For the fiscal year ending June 30, 2017 [~~and each fiscal year thereafter~~], expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed $.18 per gallon, less required "Apportionment A'' distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

(b) In addition to sums otherwise appropriated, $6,800,000 for state bridge aid for municipal bridges under RSA 234.

(c) All remaining funds [~~deposited into the highway and bridge betterment account under RSA 235:23-a~~] ***shall be restricted revenue to the department of transportation.***

IV. For the fiscal year ending June 30, 2018 and each fiscal year thereafter, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed $.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d.

(b) In addition to sums otherwise appropriated, $6,800,000 for state bridge aid for municipal bridges under RSA 234.

(c) All remaining funds deposited into the highway and bridge betterment account under RSA 235:23-a.

381 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions of RSA 362-F:10 and any other law to the contrary, the department of administrative services shall transfer on July 1, 2015 funds from the renewable energy fund to the state general fund in the amount of $5,000,000 for the fiscal year ending June 30, 2015.

382 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions of RSA 362-F:10 and any other law to the contrary, the department of administrative services shall transfer funds from the renewable energy fund to the state general fund in the amount of $20,600,000 for the fiscal year ending June 30, 2016, and in the amount of $25,217,000 for the fiscal year ending June 30, 2017.

383 Effective Date.

I. Sections 285-286, 306-307, 360-362, and 371 of this act shall take effect upon its passage.

II. Sections 287-292, 294-299, and 347-348 of this act shall take effect 60 days after its passage.

III. Sections 283 and 308 of this act shall take effect June 30, 2015.

IV. Section 305 and 378-379 of this act shall take effect September 1, 2015 at 12:03 a.m.

V. Sections 227-228, 253, 312, and 354 of this act shall take effect July 1, 2016.

VI. Section 334 of this act shall take effect January 1, 2016.

VII. The remainder of this act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill:

1. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.

2. Permits the department of administrative services to transfer funds among accounting units and class codes within the department.

3. Establishes a hiring preference for laid off classified employees.

4. Clarifies that information in a state employee's health risk appraisal is protected health information.

5. Provides for application of the state employees health plan to unrepresented active state employees.

6. Permits executive councilors to participate at their own expense in the state group health and dental insurance arrangement during their tenure in office.

7. Revises components of the state energy performance contracting program.

8. Requires retired employees to provide proof of enrollment in Medicare Parts A and B to remain eligible to participate in the state retiree benefit plan and the judicial retirement plan, and allows the commissioner of administrative services to determine the premium contribution percentages for retirees.

9. Authorizes the lottery commission to establish an employee recognition and incentive program.

10. Requires the liquor commission to reimburse the state for certain legal services provided by the department of justice.

11. Permits the department of justice, bureau of civil law to hire an attorney to review contracts.

12. Clarifies the procedures for the transfer of attorneys from other state agencies to the department of justice.

13. Clarifies disclosure of records in accordance with the Nonparticipating Manufacturer Adjustment Settlement Agreement.

14. Limits the number of judicial appointments for the biennium ending June 30, 2017.

15. Authorizes the judicial branch to transfer funds within accounting units.

16. Requires the community college system to remit retiree health care payments to the state.

17. Establishes the authority of the fish and game department to set the fees under RSA 541-A for licenses and permit issued by the department.

18. Establishes the fish and game department environmental review fee.

19. Modifies revenue for the forest management and protection fund.

20. Eliminates the continual appropriation of the state-owned ski area account to the commissioner of the department of resources and economic development and eliminates the requirement for prior approval by the governor and council and the fiscal committee of the general court of expenditures from the state park account.

21. Authorizes transfers of funds by the department of resources and economic development for welcome centers.

22. Requires the department of resources and economic development to deposit revenue derived from Cannon Mountain in the Cannon Mountain capital improvement fund until June 30, 2017.

23. Suspends certain provisions regarding funeral expenses for recipients of public assistance.

24. Allows the commissioner of the department of transportation to transfer funds within accounting units of the department.

25. Authorizes the commissioner of the department of environmental services to adopt rules establishing fees to cover the cost of the salt applicator certification program and requires all fees collected to be deposited in the general fund.

26. Modifies veterans' home reporting requirements.

27. Requires the department of information technology to establish statewide standards for information technology, networks, and cyber security.

28. Clarifies the department of information technology's purchasing policy for state agencies.

29. Appropriates sums received from the federal government by the department of transportation for reimbursement for costs of emergency response to the department.

30. Continues an appropriation in 2011, 223:1 regarding emergency management for the biennium ending June 30, 2017.

31. Abolishes a position to allow for the transition to an unclassified position within the department of safety for a second assistant commissioner.

32. Establishes the office of substance use disorder and behavioral health within the governor's office.

33. Authorizes state agency heads to accept credit cards or debit cards for payment of taxes, penalties, interest, or fees.

34. Requires fees for pesticide product registration to be adopted by administrative rule and increases the percentage of such fees to be deposited into the integrated pest management fund.

35. Requires the governor's commission on disability to adopt certain rules regarding waivers.

36. Repeals 1899, 42 which requires an annual fee to be paid to the University of New Hampshire

37. Deposits the administrative and enforcement fee for original notices of intent to excavate into the general fund.

38. Establishes a temporary tax amnesty program for taxes administered and collected by the department of revenue administration.

39. Transfers certain duties and responsibilities of the office of energy and planning.

40. Permits the executive director of the fish and game department to monitor conservation easements.

41. Transfers duties regarding data on population figures for purposes of the tax on meals and rooms from the office of energy and planning to the department of employment security.

42. Repeals the comprehensive state development plan.

43. Deletes a requirement to file certain planning and zoning documents with the office of energy and planning.

44. Removes the director of the office of energy and planning from the membership on the wetlands council and the water council.

45. Removes the director of the office of energy and planning from membership on the rivers management advisory committee and the lakes management advisory committee.

46. Transfers the land conservation investment program to the fish and game commission.

47. Transfers all functions of the state data center to the department of employment security.

48. Requires the commissioner of the department of employment security to gather and maintain certain demographic statistics for statewide planning purposes.

49. Establishes the office of professional licensure and certification and consolidates the duties and authority of the joint board for licensure and certification, the office of professional licensing in the department of health and human services, and the executive director of the real estate commission, and incorporates the administrative, clerical, and business processing functions of various boards, commissions, and councils into the office of professional licensure and certification under an unclassified executive director.

50. Provides for a consolidated reporting process for departments and divisions of departments.

51. Establishes the position of assistant state veterinarian within the department of agriculture, markets, and food.

52. Requires the pesticide control board to adopt rules relative to late fees for registration certificates for the commercial application of pesticides and pesticide product registration.

53. Requires the commissioner of the department of agriculture, markets, and food to adopt rules relative to the imposition of late fees.

54. Permits all agencies to provide documents by electronic mail in lieu of mail.

55. Permits agencies to use funds in class 60 budgets to pay penalties imposed under the employer shared responsibility for health coverage under the Internal Revenue Code.

56. Requires the commissioner of the department of administrative services to offer for sale the former Laconia state school land and buildings and the former Laconia state school and training center land and buildings.

57. Permits the transfer of the appropriation for the administration of the client assistance program that is received by the governor's commission on disability for fiscal years 2016 and 2017 to another qualified agency.

58. Repeals the limitation of guarantee of construction bonds for sewage disposal facilities.

59. Permits certain cash payments made by municipalities toward eligible costs resulting from the acquisition and construction of sewage disposal facilities to also be eligible for state contributions.

60. Places a moratorium on new infrastructure projects that would have been eligible for state aid grants under RSA 486, RSA 486-A, and RSA 149-M.

61. Establishes the office of chief operating officer and a government innovation fund within the department of administrative services.

62. Consolidates the racing and charitable gaming commission and the lottery commission, transferring authority over racing and charitable gaming to the lottery commission.

63. Suspends the payment of liquor revenues to the alcohol abuse prevention and treatment.

64. Determines the formula for education grants to municipalities.

65. Suspends school building aid for the biennium.

66. Funds the distribution of revenue from the meals and rooms tax to cities and towns at no more than the fiscal year 2015 distribution.

67. Allows the commissioner of the department of health and human services to transfer funds within accounting units of the department.

68. Requires that for the biennium ending June 30, 2017, the department of health and human services shall maintain a limit on benefits for adults with low service utilization of community mental health services, as identified in He-M 401.07.

69. Provides that the department of health and human services shall not change program eligibility standards without fiscal committee approval unless such changes are required by federal law.

70. Suspends He-W533 relative to home health rate setting.

71. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program.

72. Suspends congregate housing and congregate services.

73. Clarifies the rate of reimbursement for services and programs for a Medicaid-eligible child.

74. Requires the commissioner of the department of health and human services to submit a Medicaid state plan amendment to suspend direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2017.

75. Requires the commissioner of the department of health and human services to reinstate Medicaid coverage and open enrollment for children and pregnant women if the New Hampshire health protection program is repealed effective December 31, 2016 or earlier.

76. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2017.

77. Modifies the definition of "assessable" lives for the purpose of the vaccine association.

78. Establishes a homeland security and emergency management assessment fund.

79. Establishes an emergency management fund for the purpose of funding an interagency transfer from the insurance department to the division of homeland security and emergency management within the department of safety.

80. Revises the reporting requirements for travel and tourism revolving fund and the travel and tourism development fund in the department of resources and economic development.

81. Clarifies that penalty assessments are to be an amount additional to the fines or penalties on which the penalty assessments are levied.

82. Makes the state highway safety agency a unit of the department of safety.

83. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2017.

84. Repeals an appropriation for state matching funds for disaster assistance grants.

85. Requires the housing finance authority to prioritize housing for veterans.

86. Makes a reduction in the state self-insured health plan reserve.

87. Transfers funds between department of safety restricted funds.

88. Codifies the salaries of certain unclassified positions.

89. Amends the title of a position in the department of administrative services.

90. Amends 2013, 205 to repeal references to the financial examinations supervisor position in the insurance department.

91. Clarifies state agency communications with the office of the legislative budget assistant.

92. Limits the use of procurement cards for purchase of commodities or services by the department of administrative services.

93. Prohibits enrollment in the retiree medical and surgical benefits plan by retired or active employees enrolled in another employee benefit plan sponsored by the state.

94. Addresses the authority of the department of state to administer state elections laws.

95. Eliminates the requirement that photographs taken by the moderator of voters who do not present identification be in color.

96. Authorizes the commissioner of revenue administration to contract with the Multistate Tax Commission to participate in audits.

97. Makes an appropriation to the department of revenue administration for the purpose of reimbursing towns for the Massachusetts share of the Merrimack River flood control compact and the Connecticut River flood control compact for state fiscal year 2013.

98. Requires the department of revenue administration to pay cities and towns affected by the Merrimack River Valley and Connecticut River Valley flood control compacts the New Hampshire share of payments owed and to distribute to such towns money received from Massachusetts and Connecticut under the compacts.

99. Suspends the credit of meals and rooms tax revenue to the division of travel and tourism.

100. Provides that for the 2017 fiscal year, the state shall reimburse a sheriff providing court security at the same rate applicable to per diem court security officers.

101. Directs half of certain fees collected by the courts to the general fund.

102. Makes changes in criminal procedure laws to require felonies to be filed first in the superior court.

103. Eliminates mandatory minimum sentences for certain criminal, motor vehicle, and drug offenses.

104. Requires a sentencing court to include the use of home confinement in the sentencing orders for any nonviolent offender with no minimum sentence.

105. Corrects a reference and requires approval of the fiscal committee of the general court and governor and council for any departmental transfer of $75,000 or more.

106. Permits the site evaluation committee to expend unused portions of a one-time grant from the renewable energy fund for the biennium ending June 30, 2017.

107. Declares that the state, or any political subdivision of the state, shall not offer its employees any health care plan subject to the excise tax under the Patient Protection and Affordable Care Act unless the extra expense arising from such tax is borne by the plan participants.

108. Authorizes department's to enter agreements to lease-purchase vehicles and equipment.

109. Increases fees for vanity number plates.

110. Clarifies the allocation of unrestricted highway fund appropriations.

111. Adjusts the additional grants for chartered public school pupils based on the Consumer Price Index and adds $1,000 per pupil to the grant beginning July 1, 2016 for chartered public schools other than the Virtual Learning Academy Charter School.

112. Authorizes the lottery commission to purchase land and buildings to serve as its headquarters.

113. Repeals the prohibition on future employment of certain employees of the lottery commission.

114. Allows the lottery commission to appoint an executive director for a term of 4 years.

115. Allows members of the building code review board to receive reimbursement for travel to and from board meetings.

116. Allows the commissioner of the department of safety to transfer funds within accounting units of the department.

117. Clarifies the use of the appropriations made in 2013, 143 (HB 1-A) relative to nursing homes.

118. Suspends catastrophic aid payments to hospitals for the biennium ending June 30, 2017.

119. Requires that upon the repeal of the certificate of need law on June 30, 2016, the unexpended balance of any fees collected pursuant to 151-C:15 shall be distributed on a prorated basis to the facilities that have paid an annual administrative fee.

120. Prohibits licenses to be granted for certain new health care facilities under RSA 151, provided that licenses may be issued for replacement or renovation of existing beds to meet life safety code requirements or for construction or renovation as necessary to repair or refurbish an existing facility.

121. Authorizes the department of health and human services to allocate appropriations for the 2016 and 2017 fiscal years in the manner most effective for serving the persons receiving developmental services.

122. Reduces the appropriation to the Sununu Youth Services Center.

123. Repeals the health insurance premium payment (HIPP) program on July 1, 2015.

124. Clarifies the procedure to determine rate payments for providers of home and community-based services and nursing services under the care management program, department of health and human services.

125. Eliminates prior authorization for generic drugs for Medicaid fee for service clients.

126. Requires the commissioner of health and human services to seek federal approval to allow the Medicaid managed care organizations to use their own drug formulary in providing pharmacy benefits and contracting with pharmacy providers.

127. Establishes that for the biennium ending June 30, 2017, a portion of the nursing facility assessment and intermediate care facility assessment shall be used for purposes of long-term care services provided by the state.

128. Provides that the 10-bed psychiatric unit at the New Hampshire Hospital shall open no sooner than July 1, 2016.

129. Requires that the commissioner of the department of health and human services consolidate department of health and human services district offices to achieve reductions in general fund appropriations for the 2016 and 2017 fiscal years.

130. Eliminates the requirement that the secretary of state provide to each city and town the photography and printing supplies necessary for voters without identification.

131. Changes expenditures of road toll revenues.

132. Transfers funds from the renewable energy fund to the general fund.

The question being adoption of the majority committee amendment.
Reps. Marjorie Smith, Kaen and Rosenwald spoke against.
Reps. Lynne Ober and Kurk spoke in favor and yielded to questions.
Rep. Burt spoke in favor.
Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 219 - NAYS 161

YEAS - 219

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick			

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 161

CARROLL

Buco, Thomas
Butler, Edward
Comeau, Ed
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Sanborn, Laurie
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
McMahon, Charles
Moody, Marcia
Pantelakos, Laura
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Stepanek offered floor amendment (1224h).

Floor Amendment (1224h)

Amend the bill by replacing section 227 with the following:

227 Office of Operating Performance; Appropriation Reduction. The department of administrative services is hereby directed to reduce state general fund appropriations in account 01-14-14-1400-2999 office of operating performance by $333,320 for the fiscal year ending June 30, 2017.

Amend the bill by deleting section 228.

Amend the bill by replacing sections 251-252 with the following:

251 School Money; Determination of Grants. Amend RSA 198:41, IV to read as follows:

IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.

(b) For fiscal year 2013, the department of education shall identify all municipalities in which the fiscal year 2013 total education grant, including any stabilization grant distributed pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The department shall distribute funds to each of those municipalities equal to 100 percent of the decrease.

(c) For fiscal year 2014 ***through fiscal year 2016***, [~~and each fiscal year thereafter,~~] the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.

(d) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus 90 percent of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality.

252 Adequate Education Grant; Appropriation; Other State Aid; Appropriation Reduction.

I. In addition to any other sums appropriated, the sum of $6,850,533 for the fiscal year ending June 30, 2016, and $28,227,245 for the fiscal year ending June 30, 2017, is hereby appropriated to the department of education for the purpose of funding adequate education grants. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department of education is hereby directed to reduce general fund appropriations in account 06-56-56-5610-6019, class 078 catastrophic aid by $7,500,000 for the fiscal year ending June 30, 2017.

Amend the bill by replacing section 382 with the following:

382 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions of RSA 362-F:10 and any other law to the contrary, the department of administrative services shall transfer funds from the renewable energy fund to the general fund in the amount of $21,219,751 for the fiscal year ending June 30, 2016, and in the amount of $25,929,383 for the fiscal year ending June 30, 2017.

383 Renewable Energy Fund; Appropriation Reduction. The public utilities commission is hereby directed to reduce state appropriations in account 02-81-81-8115-5454 renewable energy fund by $619,751 for the fiscal year ending June 30, 2016, and $712,383 for the fiscal year ending June 30, 2017.

384 Community College System of New Hampshire; Appropriation Reduction. The governor is hereby directed to reduce general fund appropriations in account 06-58-58-5800-5931 for the community college system of New Hampshire by $1,250,000 for the fiscal year ending June 30, 2016, and $1,250,000 for the fiscal year ending June 30, 2017.

385 Department of Corrections; Appropriation Reduction. The department of corrections is hereby directed to reduce general fund appropriations for overtime costs by $4,000,000 for the biennium ending June 30, 2017.

386 New Hampshire Hospital; Appropriation Reduction. The department of health and human services is hereby directed to reduce general fund salary and benefit appropriations at New Hampshire Hospital by not less than $2,000,000 for the biennium ending June 30, 2017 by eliminating one vice president of nursing position, and 6 nurse coordinator positions.

387 Operating Budget; Transfer of Dedicated Funds. Notwithstanding RSA 6:12 and any other law to the contrary, for the fiscal year ending June 30, 2016, the department of administrative services shall transfer $2,500,000 from the funds collected for educational credentialing pursuant to RSA 186:11, X to the general fund.

388 Operating Budget; Transfer of Dedicated Funds. Notwithstanding any other law to the contrary for the fiscal years ending June 30, 2016, 10 percent of any payments made pursuant to the state of New Hampshire's settlement agreements with gasoline manufacturers and marketers of methyl tertiary butyl ether (MtBE) for damages to the state, not to exceed $4,000,000, shall be deposited into the general fund for the reimbursement of legal and administrative costs as allowed pursuant to said settlements. Said funds shall be in addition to the any MtBE settlement funds previously deposited into the general fund for the fiscal year ending June 30, 2013.

389 Operating Budget; Lapse; Legislative Branch. The legislative branch shall lapse an additional $1,000,000 to the general fund for the biennium ending June 30, 2017.

390 Revenue Stabilization Reserve Account.

I. For the biennium ending June 30, 2017, the provisions of RSA 9:13-e, II shall be suspended and any general fund budget surplus at the close of the biennium shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.

II. Notwithstanding RSA 9:13-e, II, on June 30, 2017, the state treasurer shall transfer $9,892,000 from the revenue stabilization reserve account, established in RSA 9:13-e, to the general fund. Such transfer shall be reduced by the amount of any additional revenue in excess of the total combined unrestricted general fund and education trust fund revenue estimates as presented in the monthly revenue plan prepared by the department of administrative services for the fiscal years ending June 30, 2016 and June 30, 2017.

AMENDED ANALYSIS

61. Directs an appropriation reduction for the office of operating performance within the department of administrative services.

133. Directs appropriation reductions for the renewable energy fund, the community college system, department of corrections, New Hampshire Hospital, and the legislative branch.

134. Transfers funds collected for educational credentialing and the MtBE settlement to the general fund.

135. Suspends the surplus reserve requirements for the biennium and transfers funds from the revenue stabilization reserve account to the general fund.

Reps. Marjorie Smith and Ford spoke against.

Reps. Stepanek and Kurk spoke in favor and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 170

YEAS - 210

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin
Tilton, Benjamin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
LeBrun, Donald
Marston, Dick
McCarthy, Peggy
McClarren, Donald
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 170

BELKNAP

Hurt, George

CARROLL

Buco, Thomas
Butler, Edward
Comeau, Ed
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Lachance, Joseph
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McLean, Mark
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Sanborn, Laurie
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Sullivan, Victoria
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
DiFranco, Debbie
Doucette, Fred
Francese, Paula
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Lovejoy, Patricia
Manning, John
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy

Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and floor amendment (1224h) was adopted.

MOTION TO PRINT DEBATE

Rep. Shurtleff moved that the debate on floor amendment (1224h) be printed in the Permanent Journal. Motion failed.

REGULAR CALENDAR – HB 2-FN-A-L CONT'D

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Ohm offered floor amendment (1162h).

Floor Amendment (1162h)

Amend the bill by inserting the following sections:

384 New Subdivision; Keno. Amend RSA 284 by inserting after section 40 the following new subdivision:

Keno

284:41 Definition. In this subdivision, "keno" means any game where a player purchases a ticket from a field of 80 numbers and selects a specific amount of numbers. A random number generator employed by the lottery commission chooses 20 numbers at random and the player is paid out against his or her original wager.

284:42 Administration and Enforcement. The lottery commission shall administer and enforce this subdivision relative to keno games operating in a town or city that has voted to allow such gaming.

284:43 Rulemaking. The lottery commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The application procedure for keno licenses.

II. Information to be required on license applications.

III. Procedures for a hearing following the revocation of a license.

IV. The operation of keno games, including types and amounts of wagers.

V. Information required and forms for submission of financial reports.

284:44 License Fees.

I. The license fee for a commercial premises keno license issued under RSA 284:46 shall be $500 per year. Such fee shall be submitted to the lottery commission at the time the application is made and shall be refunded if the application is denied.

II. All net proceeds collected by the lottery commission under this section and RSA 284:47 shall be deposited in the education trust fund established under RSA 198:39.

284:45 License Applications.

I. Applications shall be submitted to the lottery commission by the licensee. Proof of authority to submit the application on behalf of the licensee may be required.

II. Applications shall be made only on the forms supplied to the licensee by the lottery commission.

III. The application form shall be fully completed by the licensee.

IV. Applicants for commercial premises keno licenses shall be submitted at least 30 days before the first game date.

V. The applicant shall certify under oath that:

(a) The information provided on the application is accurate.

(b) Neither the applicant nor any employee will operate keno games if such person has been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any state.

(c) The applicant and any employee who will be participating in the operation of the keno games is aware of all statutes and rules applicable to the operation of keno games.

VI. To be eligible for licensure under this subdivision an applicant shall:

(a) Document that it is a liquor license holder under RSA 178:12-a, RSA 178:13, RSA 178:20, RSA 178-20-a, RSA 178:21. RSA 178:22, RSA 178:23, or RSA 178:24 and that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.

(b) Maintain a current list of employees.

284:46 License; Issuance.

I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the application and shall, in writing, grant or deny the application within 45 days of receipt.

II. The lottery commission shall deny a license application for any one of the following reasons:

(a) The license of the applicant has been previously revoked by the commission.

(b) The applicant has been convicted of a crime provided for in this chapter or in any other chapter for any gaming offense.

(c) The applicant loses his or her liquor license after submitting the application.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or in any other state shall be licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:47 Operation of Keno Games.

I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11 p.m.

II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92 percent:

(a) One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.

(b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established under RSA 198:39.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a keno game licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

284:48 Financial Reports and Inspection Required.

I. Any person which has been licensed to conduct keno games shall submit a complete financial report to the lottery commission for each license issued under RSA 284:46 within 15 days after the expiration of each license, provided, however, a complete monthly financial report shall be submitted in a timely fashion to the commission for each month covered by a license issued under RSA 284:46 on a form to be approved by the lottery commission.

II. All licensees shall maintain a separate checking account for the deposit and disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses shall be paid by check, and all prizes of $500 or more shall be paid by check. No keno funds shall be commingled with other funds of the licensee. The licensee shall retain all cancelled checks for the payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall not cash checks which it issues.

III. All financial reports filed by the licensee shall be maintained by the lottery commission for a period of one year from the date of filing and shall be open to public inspection.

IV. All financial records pertaining to the operation of keno games shall be maintained by the licensee and shall be made available to representatives of the lottery commission or of the commissioner of the department of safety upon request.

V. A licensee which has been licensed to conduct keno games shall maintain complete and accurate documentation of all revenues and expenses contained in the financial reports for at least 2 years from the date the financial report is filed.

284:49 Suspension; Revocation. The commission may suspend or revoke the license of any licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation.

284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or revoke a keno license may apply to the commission for a rehearing within 15 business days of the decision. Rehearings and appeals shall be governed by RSA 541.

284:51 Local Option.

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of a special or annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot; provided, however, if the question is placed on the warrant at a special town meeting, it shall be the only question at such special town meeting. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of keno games within the town or city?"

II. If a majority of those voting on the question vote "Yes," keno games may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I, provided, however, that the town may consider the question at no more than one special town meeting and the annual town meeting in the same calendar year.

385 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:

(65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, ***RSA 284:44, RSA 284:47,*** and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

386 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39, I(k) to read as follows:

(k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:47, relative to keno profits.

(l) Any other moneys appropriated from the general fund.

AMENDED ANALYSIS

133. This bill allows the operation and playing of keno games, provides for licensing of keno game operators by the lottery commission, and directs revenues from keno to the department of health and human services to address problem gamblers and to the education trust fund.

Rep. Ohm spoke in favor and yielded to questions.

Rep. Almy spoke against and requested a roll call; sufficiently seconded.

YEAS 206 - NAYS 176

YEAS - 206

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Cordelli, Glenn	McCarthy, Frank	McConkey, Mark
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Abbott, Michael	Emerson, Susan	Hunt, John	McConnell, Jim
Roberts, Kris	Tatro, Bruce	Tilton, Benjamin	

COOS

Richardson, Herbert	Rideout, Leon	Thomas, Yvonne

GRAFTON

Bailey, Brad
Bennett, Travis
Brown, Chris
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Ladd, Rick
Piper, Wendy

HILLSBOROUGH

Balcom, John
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Burt, John
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cote, David
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Flanagan, Jack
Gagne, Larry
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Infantine, William
Katsiantonis, Thomas
Lachance, Joseph
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Soucy, Timothy
Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Patten, Dick
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hodgdon, Bruce
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Sprague, Dale
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Grenier, James
Irwin, Virginia
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 176

BELKNAP

Gallagher, Brian	Spanos, Peter		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	Nelson, Bill	Parker, Harold	Ticehurst, Susan

CHESHIRE

Ames, Richard	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Theberge, Robert	Tholl, John	

GRAFTON

Abel, Richard	Almy, Susan	Brown, Duane	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Johnson, Eric	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Barry, Richard
Beaulieu, Jane	Booras, Efstathia	Bouldin, Amanda	Byron, Frank
Cohen, Alan	Cornell, Patricia	DiSilvestro, Linda	Ferreira, Elizabeth
Forest, Armand	Freitas, Mary	Fromuth, Bart	Gargasz, Carolyn
Gorman, Mary	Goulette, William	Guerette, C. Lee	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Hopper, Gary
Jack, Martin	Jeudy, Jean	Kurk, Neal	LeBrun, Donald
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	Moore, Josh	O'Neil, William	Pierce, David
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Smith, Timothy	Snow, Kendall	Souza, Kathleen
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hill, Gregory	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
Kidder, David	Long, Douglas	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Christie, Andrew	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Hagan, Joseph	Harris, Jeffrey	Heffron, Frank
Hoelzel, Kathleen	Introne, Robert	Lovejoy, Patricia	McBeath, Rebecca
Moody, Marcia	Osborne, Jason	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Tucker, Pamela	Vose, Michael	Ward, Gerald

STRAFFORD

Berube, Roger	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Groen, Warren	Horrigan, Timothy

Kaen, Naida	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard
Verschueren, James	Wall, Janet	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Gagnon, Raymond	Gottling, Suzanne	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and floor amendment (1162h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hatch offered floor amendment (1165h).

Floor Amendment (1165h)

Amend the bill by inserting the following sections:

383 Tobacco Tax; Cigarette Tax. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [~~$1.78~~] ***$1.99*** for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word "package" as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

384 Tobacco Tax; Tobacco Products Other Than Cigarettes. Amend RSA 78:7-c to read as follows:

78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [~~65.03~~] ***73.94*** percent of the wholesale sales price. The tax under this section may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States. No such tax shall be imposed on premium cigars.

385 Applicability. Sections 383 and 384 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this act. The tax rate effective July 1, 2015 shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current effective rate shall be paid within 90 days of the filing of the inventory form. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

386 Revised Tobacco Tax Revenue Estimates. Assuming total combined general and education trust fund tobacco tax estimates of approximately $222,000,000 in the fiscal year ending June 30, 2015, assuming a decline in said estimates by 1 percent in the fiscal year ending June 30, 2016 and a further decline of 3 percent in the fiscal year ending June 30, 2017, and assuming the proposed tobacco tax rate increases proposed in sections 383 and 384 of this act will increase tax estimates by an additional $28,000,000 in the fiscal year ending June 30, 2016, and $25,200,000 in the fiscal year ending June 30, 2017, the revised total combined general and education trust fund tobacco tax estimates are as follows:

	FY 2016	FY 2017
Tobacco Tax	$247,800,000	$238,400,000

387 Business Profits Tax; Increase of Reasonable Compensation Safe Harbor. Amend RSA 77-A:4, III(c) to read as follows:

(c) In lieu of substantiating the value of the personal services of proprietors, partners, or members, a business organization or group of related business organizations may elect, as a record-keeping safe harbor, to deduct up to [~~$75,000~~] ***$100,000*** as total compensation for the tax year;

388 Repeal. The following are repealed:

I. RSA 21-J:28, VIII, relative to appeal for redetermination or reconsideration procedure.

II. RSA 77-A:4, III(g), relative to the presumption of reasonableness of a compensation deduction.

389 New Paragraph; Duties of Commissioner of Revenue Administration. Amend RSA 21-J:3 by inserting after paragraph XXX the following new paragraph:

XXXI. Report biennially to the chairpersons of the house and senate ways and means committees with an update of countries that may be considered tax havens under RSA 77-A:1, XV.

390 Definitions; Water's Edge Combined Group. Amend RSA 77-A:1, XV to read as follows:

XV. "Water's edge combined group" means a group of business organizations as defined in RSA 77-A:1, I operating a unitary business, except for overseas business organizations, as defined in paragraph XIX; provided, however[~~,~~]*:*

(a) Overseas business organizations are not incorporated in one of the following jurisdictions that are hereby identified as tax havens: the Principality of Andorra, Anguilla, Antigua and Barbuda, Aruba, the Commonwealth of the Bahamas, the Kingdom of Bahrain, Barbados, Belize, Bermuda, the British Virgin Islands, the Cayman Islands, the Cook Islands, the Republic of Cyprus, the Commonwealth of Dominica, Gibraltar, Grenada, the Bailiwick of Guernsey, the Isle of Man, the Bailiwick of Jersey, the Republic of Liberia, the Principality of Liechtenstein, the Grand Duchy of Luxembourg, Malta, the Republic of the Marshall Islands, the Republic of Mauritius, the Principality of Monaco, Montserrat, the Republic of Nauru, the Caribbean Netherlands, Niue, the Independent State of Samoa, the Republic of San Marino, the Republic of Seychelles, the Federation of St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, the Turks and Caicos Islands, the United States Virgin Islands, and the Republic of Vanuatu; and

(b) 80/20 business organizations shall only be excluded from the definition of "water's edge combined group" if the following criteria are met:

[~~(a)~~] *(1)* The taxpayer certifies that transactions conducted between such business organizations and other members of the group are on a comparable basis to transactions between other business organizations owned or controlled by the taxpayer and any members of the water's edge combined group; and

[~~(b)~~] *(2)* The taxpayer agrees to report to the commissioner any adjustments as finally determined by the United States Internal Revenue Service with respect to such transactions between any related business organizations as may have a bearing on the comparability of transactions referred to in subparagraph [~~(a)~~] *(1)*. These adjustments shall be made to the 80/20 business organizations so that a comparable basis shall be maintained for New Hampshire tax purposes. Such report shall be made in the manner and within the time limits as provided in RSA 77-A:10. Nothing in this paragraph shall exclude from taxation any business organization carrying on business activity within the state.

391 New Paragraphs; Definitions; Tax Haven; Accumulated Profits. Amend RSA 77-A:1 by inserting after paragraph XXIX the following new paragraph:

XXX. "Tax haven" means a jurisdiction outside the United States which, during the tax year, has no, or nominal, effective tax on the income of an overseas business organization that is unitary with a group of business organizations defined in RSA 77-A:1, I; and

(a) Has laws or practices that prevent effective exchange of information for tax purposes with other governments on taxpayers benefiting from the jurisdiction's tax structure;

(b) Has a tax structure that lacks transparency;

(c) Facilitates the establishment of foreign-owned entities without the need for a substantive local presence or commercial impact on the local economy;

(d) Explicitly or implicitly excludes the jurisdiction's resident taxpayers from taking advantage of the tax structure benefits afforded foreign-owned entities;

(e) Explicitly or implicitly excludes foreign-owned entities from participating in the jurisdiction's domestic market; or

(f) Has created a tax structure that is favorable for tax avoidance.

XXXI. "Accumulated profits" means the total undistributed earnings of the business organization from whatever source derived.

392 Department of Revenue Administration; Treatment of Dividends from Tax Havens. Amend RSA 77-A:3, II by inserting after subparagraph (b) the following new subparagraph:

(c) For the purposes of subparagraph (b): (1) dividends received from a business organization incorporated in a tax haven, as defined in RSA 77-A:1, XXX, and derived from accumulated profits earned on or before December 31, 2015, and (2) dividends received from business organizations incorporated in countries which become tax havens, and are derived from accumulated profits earned on or before the country is identified as a tax haven under RSA 77-A:1, XXX , shall be treated as foreign dividends, and not be eliminated in determining taxable business profits.

393 Applicability. Sections 387 through 392 of this act shall apply to tax periods ending on or after December 31, 2015.

394 Revised Business Tax Revenue Estimates. Assuming total combined general and education trust fund business tax estimates of approximately $554,500,000 in fiscal year 2015; assuming an

increase of said estimates by 2 percent in fiscal year 2016, and a further increase of 2 percent in fiscal year 2017; and assuming the proposed tax change in sections 387 through 392 will increase said tax estimates by an additional $15,100,000 in fiscal year 2016, and $27,100,000 in fiscal year 2017, the revised total combined general and education trust fund business tax estimates are as follows:

	FY 2016	FY 2017
Business Taxes	$580,700,000	$604,000,000

395 Revised Meals and Rooms Tax Revenue Estimates. Assuming total combined general and education trust fund meals and rooms tax estimates of approximately $279,000,000 in fiscal year 2015; and assuming an increase in said estimates by 5 percent in fiscal year 2016, and a further increase of 4.5 percent in fiscal year 2017, the revised total combined general and education trust fund meals and rooms tax estimates are as follows:

	FY 2016	FY 2017
Meals & Rooms Tax	$293,000,000	$306,100,000

396 General Fund Balance. Notwithstanding RSA 9:13-e, II, any budget surplus for the close of the fiscal biennium ending June 30, 2015 shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.

AMENDED ANALYSIS

133. Increases the tobacco tax, redefines tobacco products under the tobacco tax to include nicotine vapor products, but excludes such tax on premium cigars.

134. Revises the tobacco tax revenue estimates for the 2016 and 2017 fiscal years.

135. Increases the reasonable compensation deduction under the business profits tax.

136. Changes certain business profits tax laws to prevent the diversion of business income to certain offshore tax havens.

137. Revises the business tax revenue estimates.

138. Revises the meals and rooms tax revenue estimates.

139. Provides that any budget surplus for the close of fiscal biennium ending June 30, 2015 shall remain in the general fund.

Reps. Hess and Major spoke against and yielded to questions.

Rep. Almy spoke in favor.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 147 - NAYS 234

YEAS - 147

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda

Freitas, Mary
Guerette, C. Lee
Herbert, Christopher
Leishman, Peter
McNamara, Richard
Rosenwald, Cindy
Soucy, Timothy
Woodbury, David
Gidge, Kenneth
Hansberry, Daniel
Jack, Martin
Long, Patrick
O'Brien, Michael
Shattuck, Gilman
Vann, Ivy
Goley, Jeffrey
Harvey, Suzanne
Jeudy, Jean
Mangipudi, Latha
Porter, Marjorie
Smith, Timothy
Walsh, Robert
Gorman, Mary
Heath, Mary
Katsiantonis, Thomas
Manley, Jonathan
Roberts, Carol
Snow, Kendall
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Karrick, David
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Bartlett, Christy
Doherty, David
Gile, Mary
Kenison, Linda
Myler, Mel
Rogers, Katherine
Wallner, Mary Jane
Bradley, Paula
Ebel, Karen
Henle, Paul
Luneau, David
Patten, Dick
Saunderson, George
Wheeler, Deborah
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
MacKay, James
Ratzki, Mario
Schuett, Dianne

ROCKINGHAM

Berrien, Skip
Cushing, Robert
Heffron, Frank
Pantelakos, Laura
Borden, David
DiFranco, Debbie
Lovejoy, Patricia
Sherman, Thomas
Cahill, Michael
Francese, Paula
McBeath, Rebecca
Simpson, Alexis
Cali-Pitts, Jacqueline
Gordon, Pamela
Moody, Marcia
Ward, Gerald

STRAFFORD

Baber, William
Cilley, Jacalyn
Rollo, Deanna
Spang, Judith
Wall, Janet
Berube, Roger
DiSesa, Len
Schmidt, Peter
Stevens, Audrey
Ward, Kenneth
Bixby, Peter
Horrigan, Timothy
Smith, Marjorie
Treleaven, Susan
Burton, Wayne
Kaen, Naida
Southworth, Thomas
Verschueren, James

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew
Converse, Larry
Irwin, Virginia
Gagnon, Raymond
O'Hearne, Andrew
Gottling, Suzanne
Oxenham, Lee

NAYS - 234

BELKNAP

Aldrich, Glen
Fraser, Valerie
LeBreche, Shari
Tilton, Franklin
Dumais, Russell
Gallagher, Brian
Luther, Robert
Vadney, Herbert
Fields, Dennis
Howard, Jr., Raymond
Spanos, Peter
Varney, Peter
Fisher, Robert
Hurt, George
Sylvia, Michael

CARROLL

Avellani, Lino
Crawford, Karel
Parker, Harold
Chandler, Gene
McCarthy, Frank
Schmidt, Stephen
Comeau, Ed
McConkey, Mark
Umberger, Karen
Cordelli, Glenn
Nelson, Bill
Wright, Ted

CHESHIRE

Emerson, Susan
Sterling, Franklin
Hunt, John
McConnell, Jim
Roberts, Kris

COOS

Fothergill, John
Tholl, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon

GRAFTON

Bailey, Brad
Hennessey, Erin
Ladd, Rick
Brown, Duane
Hull, Robert
Massimilla, Linda
Darrow, Stephen
Ingbretson, Paul
Piper, Wendy
Gionet, Edmond
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Turcotte, Alan
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gardner, Janice
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Laware, Thomas
Rollins, Skip
Smith, Steven

and floor amendment (1165h) failed.

The House recessed at 12:10 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR – HB 2-FN-A-L CONT'D

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Marjorie Smith offered floor amendment (1212h).

Floor Amendment (1212h)

Amend the bill by deleting sections 347-348.

Amend the bill by inserting the following sections:

383 Department of Administrative Services; Appropriation; Parking Benefit. There is hereby appropriated to the department of administrative services the sum of $50,000 for the fiscal year ending June 30, 2016 and the sum of $50,000 for the fiscal year ending June 30, 2017, for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement between the state of New Hampshire and the New Hampshire state employees association. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

384 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I:30, XIII to read as follows:

XIII. The commissioner of administrative services shall invoice and collect from retired state employees [~~under the age of 65 years~~] ***and/or each applicable spouse who are not Medicare eligible and*** receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, [~~the~~] ***a*** premium contribution [~~amounts of 12.5 percent~~] ***amount based on a percentage*** of the total monthly premium [~~for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 12.5 percent.*** The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law. Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

385 Department of Administrative Services; New Hampshire Retirement System; Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III. The retirement system shall deduct from the monthly retirement allowance of retired state employees [~~under the age of 65 years~~] ***and/or each applicable spouse who are not Medicare eligible and*** receiving medical and surgical benefits provided pursuant to RSA 21-I:30, [~~the~~] ***a*** premium contribution [~~amounts of 12.5 percent~~] ***amount based on a percentage*** of the total monthly premium [~~for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than 12.5 percent.*** The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA

100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree ***and/or each applicable spouse*** the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

386 Department of Administrative Services; Judicial Retirement Plan. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and ***their applicable*** spouses [~~under the age of 65 years~~] ***who are not Medicare eligible and*** receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount [~~of 12.5 percent of the~~] ***based on a percentage of the*** total monthly premium [~~for each such retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 12.5 percent***. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

387 Classified Salaries; January 8, 2016. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2017 shall be established as follows commencing January 8, 2016:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	20,202.00	20,728.50	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50
02	20,728.50	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50
03	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50
04	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50
05	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50	28,743.00
06	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50	28,743.00	29,796.00
07	23,848.50	24,687.00	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50
08	24,687.00	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50
09	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50
10	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00
11	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00
12	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00
13	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00	39,292.50
14	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00	39,292.50	40,989.00
15	32,194.50	33,559.50	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50
16	33,559.50	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50
17	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00
18	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50
19	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50
20	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50
21	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50	55,126.50
22	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50	55,126.50	57,525.00
23	44,479.50	46,390.50	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00
24	46,390.50	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50
25	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50
26	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00

27	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50
28	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00
29	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00	78,877.50
30	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00	78,877.50	82,485.00
31	62,731.50	65,715.00	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50
32	65,715.00	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50
33	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50
34	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50	98,046.00
35	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50	98,046.00	101,946.00

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

388 Classified Salaries; January 6, 2017. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2017 shall be established as follows commencing January 6, 2017:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	20,611.50	21,157.50	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50
02	21,157.50	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50
03	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00
04	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00
05	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00	29,328.00
06	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00	29,328.00	30,400.50
07	24,336.00	25,194.00	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50
08	25,194.00	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50
09	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00
10	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00
11	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00
12	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50
13	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50	40,092.00
14	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50	40,092.00	41,827.50
15	32,857.50	34,242.00	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50
16	34,242.00	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50
17	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00
18	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50
19	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50
20	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00
21	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00	56,238.00
22	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00	56,238.00	58,675.50
23	45,376.50	47,326.50	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00
24	47,326.50	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00
25	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50
26	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50
27	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50
28	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00
29	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00	80,457.00
30	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00	80,457.00	84,142.50
31	63,999.00	67,041.00	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00
32	67,041.00	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00
33	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00
34	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00	100,015.50
35	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00	100,015.50	103,993.50

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

389 Classified Increases; January 8, 2016. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 8, 2016, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

390 Classified Increases; January 6, 2017. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 6, 2017, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

391 State Trooper Salaries; January 8, 2016. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 8, 2016, the salary ranges for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association shall be as follows:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	26,145.60	26,915.20	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20
02	26,915.20	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20
03	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80
04	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60
05	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60	37,398.40
06	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60	37,398.40	38,792.00
07	30,971.20	32,115.20	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20
08	32,115.20	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00
09	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80
10	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80
11	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20
12	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80
13	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80	51,272.00
14	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80	51,272.00	53,435.20
15	41,912.00	43,721.60	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20
16	43,721.60	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20
17	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20
18	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40
19	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40
20	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00
21	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00	71,947.20
22	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00	71,947.20	75,150.40
23	58,011.20	60,548.80	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80
24	60,548.80	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60
25	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60
26	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40
27	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80
28	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80
29	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80	103,064.00
30	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80	103,064.00	107,848.00
31	81,993.60	85,820.80	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00
32	85,820.80	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00
33	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80

34	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80	128,252.80
35	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80	128,252.80	133,348.80

392 State Trooper Salaries; January 6, 2017. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 6, 2017, the salary ranges for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association, and state trooper command staff shall be as follows:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
01	26,686.40	27,456.00	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00
02	27,456.00	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80
03	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20
04	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60
05	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60	38,147.20
06	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60	38,147.20	39,582.40
07	31,595.20	32,760.00	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40
08	32,760.00	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80
09	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40
10	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00
11	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00
12	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20
13	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20	52,312.00
14	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20	52,312.00	54,516.80
15	42,764.80	44,616.00	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40
16	44,616.00	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00
17	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40
18	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20
19	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60
20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60	70,345.60
21	54,516.80	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60	70,345.60	73,403.20
22	56,742.40	59,176.00	61,630.40	64,251.20	66,913.60	70,345.60	73,403.20	76,668.80
23	59,176.00	61,776.00	64,500.80	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60
24	61,776.00	64,500.80	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80
25	64,500.80	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00
26	67,412.80	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20
27	70,345.60	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80
28	73,403.20	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80	100,380.80
29	76,668.80	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80	100,380.80	105,144.00
30	80,121.60	83,636.80	87,360.00	91,187.20	95,284.80	100,380.80	105,144.00	110,011.20
31	83,636.80	87,547.20	91,686.40	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20
32	87,547.20	91,686.40	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20
33	91,686.40	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20	125,632.00
34	95,867.20	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20	125,632.00	130,832.00
35	100,380.80	105,144.00	110,011.20	115,211.20	120,411.20	125,632.00	130,832.00	136,032.00

393 Compensation for Certain State Officers; Unclassified State Employees; January 8, 2016. RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
AA	52,745.16	56,184.96	59,624.24	63,062.48	66,501.24	69,940.52
BB	54,844.92	58,420.96	61,998.56	65,576.16	69,153.24	72,729.80
CC	57,389.28	61,138.48	64,886.64	68,635.32	72,383.48	76,132.16
DD	60,422.44	64,370.28	68,319.16	72,268.04	76,215.88	80,163.20
EE	63,991.72	68,180.32	72,367.88	76,555.96	80,744.04	84,933.68
FF	68,417.44	72,900.36	77,383.80	81,867.24	86,351.20	90,832.56
GG	73,854.56	78,698.36	83,542.16	88,385.44	93,229.76	98,073.56
HH	80,419.04	85,700.16	90,981.28	96,262.40	101,543.52	106,824.64

II	85,024.68	90,612.08	96,201.04	101,789.48	107,377.40	112,965.32
JJ	89,629.28	95,524.00	101,419.24	107,313.96	113,208.68	119,105.48
KK	91,920.40	97,968.52	104,017.16	110,065.28	116,113.92	122,162.56
LL	0.00	0.00	0.00	0.00	0.00	125,744.32
MM	0.00	0.00	0.00	0.00	0.00	129,992.72
NN	0.00	0.00	0.00	0.00	0.00	134,982.12
OO	0.00	0.00	0.00	0.00	0.00	140,815.48
PP	0.00	0.00	0.00	0.00	0.00	147,788.68
QQ	0.00	0.00	0.00	0.00	0.00	156,180.44

394 Compensation for Certain State Officers; Unclassified State Employees; January 6, 2017. RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
AA	53,800.24	57,308.68	60,817.12	64,324.00	67,831.40	71,339.84
BB	55,942.12	59,589.40	63,238.76	66,888.12	70,536.44	74,184.76
CC	58,537.44	62,361.52	66,184.56	70,008.12	73,831.16	77,655.24
DD	61,630.92	65,657.80	69,685.72	73,713.64	77,740.52	81,766.88
EE	65,271.96	69,544.28	73,815.56	78,087.36	82,359.16	86,632.52
FF	69,786.08	74,358.44	78,931.84	83,504.72	88,078.64	92,649.44
GG	75,331.88	80,272.40	85,213.44	90,153.44	95,094.48	100,035.52
HH	82,027.92	87,414.60	92,801.28	98,187.96	103,574.64	108,961.32
II	86,725.60	92,424.80	98,125.56	103,825.28	109,525.00	115,224.72
JJ	91,422.24	97,434.48	103,447.76	109,460.52	115,473.28	121,487.60
KK	93,759.12	99,928.40	106,097.68	112,266.96	118,436.24	124,606.04
LL	0.00	0.00	0.00	0.00	0.00	128,259.56
MM	0.00	0.00	0.00	0.00	0.00	132,592.72
NN	0.00	0.00	0.00	0.00	0.00	137,681.96
OO	0.00	0.00	0.00	0.00	0.00	143,631.80
PP	0.00	0.00	0.00	0.00	0.00	150,744.88
QQ	0.00	0.00	0.00	0.00	0.00	159,304.08

395 Salary Wages for Councilors and Commissioners; January 8, 2016. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 8, 2016:

	Minimum	Maximum
Governor's councilors		$16,420
Racing and charitable gaming commissioners		$12,735
Sweepstakes commission, chairman		$18,522
Sweepstakes commission, members		$10,426

396 Salary Wages for Councilors and Commissioners; January 6, 2017. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 6, 2017:

	Minimum	Maximum
Governor's councilors		$16,748
Racing and charitable gaming commissioners		$12,990
Sweepstakes commission, chairman		$18,893
Sweepstakes commission, members		$10,635

397 Department of Justice; Attorney Salaries; January 8, 2016. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 8, 2016:

	Minimum	Market anchor	Maximum
		$48,838	$116,566
Attorney		$58,871	
Assistant attorney general		$80,193	

Senior assistant attorney general	$99,007
Associate attorney general	$109,041

398 Department of Justice; Attorney Salaries; January 6, 2017. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 6, 2017:

	Minimum	Market anchor	Maximum
	$49,814		$118,897
Attorney		$60,049	
Assistant attorney general		$81,797	
Senior assistant attorney general		$100,987	
Associate attorney general		$111,222	

399 Legislative Employees; January 8, 2016. Legislative employees shall receive 2 percent salary increases effective January 8, 2016, if such increases are approved by the appointing authority.

400 Legislative Employees; January 6, 2017. Legislative employees shall receive 2 percent salary increases effective January 6, 2017, if such increases are approved by the appointing authority.

401 Increases in Salary; Other Nonclassified or Unclassified Employees. All other nonclassified or unclassified employees not covered by the provisions for salary increases in this act shall be granted a salary increase of 2 percent effective January 8, 2016, and an additional salary increase of 2 percent effective January 6, 2017.

402 Judicial Salaries; January 8, 2016. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$163,976
Associate justices, supreme court	$159,042
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$159,042
Associate justices, superior court	$149,175
District court justices prohibited from practice pursuant to RSA 502-A:21	$149,175
Probate judges prohibited from practice pursuant to RSA 547:2-a	$149,175

403 Judicial Salaries; January 6, 2017. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	$167,271
Associate justices, supreme court	$162,240
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	$162,240
Associate justices, superior court	$152,159
District court justices prohibited from practice pursuant to RSA 502-A:21	$152,159
Probate judges prohibited from practice pursuant to RSA 547:2-a	$152,159

404 Judges; State Employee Health Plan; Application. The cost sharing and plan design for judges who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc.

405 Judicial Employees; January 8, 2016. All unrepresented judicial employees shall receive 2 percent salary increases on January 8, 2016.

406 Judicial Employees; January 6, 2017. All unrepresented judicial employees shall receive 2 percent salary increases on January 6, 2017.

407 Appropriation. The following sums are appropriated from the following sources for the purposes of sections 387 through 406 of this act for the fiscal years ending June 30, 2016 and June 30, 2017:

FY 2016

All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
$7,500,000	$300,000	$3,000,000	$1,432,500	$1,020,000	$120,000	$75,000	$1,552,500

FY 2017

All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
$22,500,000	$900,000	$9,000,000	$4,297,500	$3,060,000	$360,000	$225,000	$4,657,500

The Department of Administrative Services is authorized to make rounding adjustments of up to +$.01 per hour as needed to properly process the employee's payroll within the currently designed Human Resources/Payroll System (NH FIRST).

408 Effective Date.

I. Sections 387, 389, 391, 393, 395, 397, and 402 shall take effect January 8, 2016.

II. Sections 388, 390, 392, 394, 396, 398, and 403 shall take effect January 6, 2017.

AMENDED ANALYSIS

Deletes paragraph 107 relative to the excise tax under the Patient Protection and Affordable Care Act.

133. Appropriates funds to the department of administrative services for the biennium ending June 30, 2017 for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement.

134. Allows the commissioner of administrative services to determine the health insurance premium contribution percentages for retired state employees and judges.

135. Makes appropriations for salary increases for state employees.

Reps. Robert Walsh and Leishman spoke in favor.

Rep. Kurk spoke against and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 167 - NAYS 199

YEAS - 167

BELKNAP

Fields, Dennis

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Hansberry, Daniel	Harvey, Suzanne

Heath, Mary
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DiFranco, Debbie
Doucette, Fred
Francese, Paula
Gordon, Pamela
Griffin, Mary
Heffron, Frank
Lovejoy, Patricia
Manning, John
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Webb, James
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
Oxenham, Lee
Schmidt, Andrew

NAYS - 199

BELKNAP

Aldrich, Glen
Dumais, Russell
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Sterling, Franklin
Tilton, Benjamin

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos
Gould, Linda	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Twombly, Timothy
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Bates, David	Belanger, Ronald	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Cook, Allen	DeSimone, Debra
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Guthrie, Joseph
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Kolodziej, Walter	Lundgren, David	Major, Norman
Matthews, Carolyn	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Weyler, Kenneth
Wood, David			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Rollins, Skip	Smith, Steven

and floor amendment (1212h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Leishman offered floor amendment (1215h).

Floor Amendment (1215h)

Amend the bill by deleting sections 252 and 253.
Amend the bill by deleting section 255.
Amend the bill by deleting section 311.

Amend the bill by deleting section 367.

Amend the bill by inserting the following new sections:

383 New Hampshire Land and Community Heritage Investment Program; Trust Fund. Amend RSA 227-M:7, I to read as follows:

I. There is established in the office of the state treasurer the trust fund for the New Hampshire land and community heritage investment program. Moneys in the fund and any interest earned on the fund shall be used for the purpose of this chapter and shall not be used for any other purpose. The trust fund shall be nonlapsing ***and continually appropriated for the purposes of this chapter***.

384 Department of Treasury; Appropriation. In addition to any other sums appropriated to the department of treasury, meals and rooms tax distribution, the sum of $5,000,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

385 New Subparagraph; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Additional Credit. Amend RSA 167:18-a, III by inserting after subparagraph (b) the following new subparagraph:

(c) For the biennium ending June 30, 2017, the counties shall have an additional credit against the amounts due for long-term care expenditures under RSA 167:18-a. The credit in the amount of $2,841,000 for the fiscal year ending June 30, 2016 and $2,860,000 for the fiscal year ending June 30, 2017 shall be in addition to the $5,000,000 annual credit set forth in subparagraph (a). The additional credit shall be allocated among the counties based on the percentage of total payments each county had for the preceding fiscal year from the nursing facility trust fund under RSA 151-E:15 and shall be made available to the counties as soon as possible after the start of the fiscal year. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.

386 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2013, 278:5 and 278:6 to read as follows:

278:5 Voter Identification; Effective Date Extended. Amend 2012, 284:15, I to read as follows:

I. Sections 7-13 of this act shall take effect [~~September 1, 2015~~] ***July 1, 2017***.

278:6 Voter Identification; Effective Date Extended. Amend 2012, 289:6, I to read as follows:

I. Section 4 of this act shall take effect [~~September 1, 2015~~] ***July 1, 2017***, at 12:01 a.m.

387 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2013, 278:8, I to read as follows:

I. Section 7 of this act shall take effect [~~September 1, 2015~~] ***July 1, 2017***, at 12:02 a.m.

388 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2014, 131:4, I to read as follows:

I. Sections 2-3 of this act shall take effect [~~September 1, 2015~~] ***July 1, 2017***, at 12:03 a.m.

389 Obtaining a Ballot; Prospective Version; Effective Date Changed. Amend 2014, 319:19, I to read as follows:

I. Section 6 of this act shall take effect [~~September 1, 2015~~] ***July 1, 2017*** at 12:02 a.m.

AMENDED ANALYSIS

Deletes paragraphs 64, 66, 99, and 122.

133. Continually appropriates the trust fund for the New Hampshire land and community heritage program.

134. Revises appropriations to the department of treasury and revises county nursing home payments for long-term care.

135. Postpones the requirement that moderators photograph voters without identification to July 1, 2017.

Reps. Rosenwald and Ford spoke in favor.

Rep. Leishman spoke in favor and yielded to questions.

Rep. Dan McGuire spoke against and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 163 - NAYS 212

YEAS - 163

CARROLL

Buco, Thomas Butler, Edward Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Belanger, James
Booras, Efstathia
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Barnes, Arthur
Bates, David
Berrien, Skip
Borden, David
Cahill, Michael
Cardon, G. Thomas
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew

NAYS - 212

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Roberts, Kris
Sterling, Franklin			

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Ingbretson, Paul	Johnson, Eric	Ladd, Rick	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Kurk, Neal	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick		

MERRIMACK

French, Harold	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Belanger, Ronald	Bush, Carol	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Gannon, William
Gordon, Richard	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert

Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem
Kolodziej, Walter	Lundgren, David	Major, Norman	Manning, John
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Packard, Sherman	Peckham, Michele	Potucek, John	Priestley, Anne
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Sweeney, Joe	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Wood, David			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Smith, Steven

and floor amendment (1215h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Carol McGuire offered floor amendment (1193h).

Floor Amendment (1193h)

Amend the bill by deleting sections 26-55.

AMENDED ANALYSIS

Delete paragraph 17, relative to the authority of the fish and game department to adopt fees for license and permits.

Rep. Carol McGuire spoke in favor.
Rep. Umberger spoke against and yielded to questions.
Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 163 - NAYS 207

YEAS - 163

BELKNAP

Aldrich, Glen	Fisher, Robert	Fraser, Valerie	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Sylvia, Michael
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Comeau, Ed	Wright, Ted

CHESHIRE

Bordenet, John	Hunt, John	McConnell, Jim	Pearson, William
Roberts, Kris	Sterling, Franklin	Tilton, Benjamin	

COOS

Moynihan, Wayne	Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Rebecca	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric	Nordgren, Sharon	

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Booras, Efstathia	Burt, John

Christie, Rick	Coffey, James	Cohen, Alan	Cote, David
Danielson, David	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda	Goulette, William
Halstead, Carolyn	Hansen, Peter	Herbert, Christopher	Hogan, Edith
Hopper, Gary	Jack, Martin	Katsiantonis, Thomas	LeBrun, Donald
Marston, Dick	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Peterson, Ken	Rice, Kimberly	Roberts, Carol	Rouillard, Claire
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Shaw, Barbara	Silva, Peter	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Twombly, Timothy	Ulery, Jordan
Zaricki, Nick			

MERRIMACK

Brewster, Michael	Deloge, Helen	French, Barbara	French, Harold
Hill, Gregory	Horn, Werner	Kuch, Bill	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Parent, Jason
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Azarian, Gary	Baldasaro, Alfred
Bates, David	Bush, Carol	Cardon, G. Thomas	Cook, Allen
Cushing, Robert	Duarte, Joe	Francese, Paula	Gannon, William
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Lundgren, David	Major, Norman	Manning, John
Nigrello, Robert	Osborne, Jason	Pantelakos, Laura	Potucek, John
Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gardner, Janice
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert
Leeman, Don	Mullen, John	Stevens, Audrey	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Converse, Larry	Laware, Thomas	Rollins, Skip

NAYS - 207

BELKNAP

Dumais, Russell	Fields, Dennis	Gallagher, Brian	Spanos, Peter
Tilton, Franklin			

CARROLL

Buco, Thomas	Chandler, Gene	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Rappaport, Laurence
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Darrow, Stephen	Ford, Susan	Gionet, Edmond
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Cornell, Patricia
DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Hinch, Richard	Jeudy, Jean
Kurk, Neal	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	Martel, Andre	McCarthy, Peggy	McNamara, Richard
O'Brien, Michael	O'Neil, William	Ober, Lynne	Pellegrino, Anthony
Pierce, David	Porter, Marjorie	Proulx, Mark	Rosenwald, Cindy
Rowe, Robert	Shattuck, Gilman	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Straight, Phillip	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Hoell, J.R.	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Long, Douglas
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Allen, Mary	Barnes, Arthur	Belanger, Ronald	Berrien, Skip
Borden, David	Cahill, Michael	Chase, Francis	Chirichiello, Brian
Christie, Andrew	DeSimone, Debra	Devine, James	Doucette, Fred
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Gordon, Pamela	Gordon, Richard	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Kolodziej, Walter	Lovejoy, Patricia	Matthews, Carolyn
McBeath, Rebecca	McKinney, Betsy	Milz, David	Moody, Marcia
O'Connor, John	Oligny, Jeffrey	Packard, Sherman	Peckham, Michele
Sherman, Thomas	Simpson, Alexis	Sweeney, Joe	Ward, Gerald
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven
Wood, David			

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Cilley, Jacalyn
DiSesa, Len	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	Smith, Steven

and floor amendment (1193h) failed.
Rep. Leeman voted Yea and intended to vote Nay.
Rep. Hoell voted Nay and intended to vote Yea.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Carol McGuire offered floor amendment (1194h).

Floor Amendment (1194h)

Amend the bill by replacing sections 15-17 with the following:

15 Department of Administrative Services; State Employees Group Insurance; Medical and Surgical Benefits. Amend RSA 21-I: 30, XIII to read as follows:

XIII. The commissioner of administrative services shall invoice and collect from retired state employees [~~under the age of 65 years~~] ***and/or each applicable spouse who are not Medicare eligible and*** receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, the premium contribution amounts of [~~12.5~~] ***20*** percent of the total monthly premium for each such retiree and [~~12.5~~] ***20*** percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed [~~12.5~~] ***20*** percent of the total monthly premium for 2 plan participants. The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law. Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

16 Department of Administrative Services; New Hampshire Retirement System; Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III. The retirement system shall deduct from the monthly retirement allowance of retired state employees [~~under the age of 65 years~~] ***and/or each applicable spouse who are not Medicare eligible and*** receiving medical and surgical benefits provided pursuant to RSA 21-I:30, the premium contribution amounts of [~~12.5~~] ***20*** percent of the total monthly premium for each such retiree and [~~12.5~~] ***20*** percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed [~~12.5~~] ***20*** percent of the total monthly premium for 2 plan participants. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree ***and/or each applicable spouse*** the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

17 Department of Administrative Services; Judicial Retirement Plan. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and ***their applicable*** spouses [~~under the age of 65 years~~] ***who are not Medicare eligible and*** receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount of [~~12.5~~] ***20***

percent of the total monthly premium for each such retiree and [~~12.5~~] ***20*** percent of the total monthly premium for each applicable spouse; provided that the charge to each household shall not exceed [~~12.5~~] ***20*** percent of the total monthly premium for 2 plan participant. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

AMENDED ANALYSIS

8. Requires retired employees to provide proof of enrollment in Medicare Parts A and B to remain eligible to participate in the state retiree benefit plan and the judicial retirement plan, and changes the premium contribution percentages for retirees.

Rep. Carol McGuire spoke in favor.

On a division vote, 151 members having voted in the affirmative and 196 in the negative, floor amendment (1194h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Rowe offered floor amendment (1196h).

Floor Amendment (1196h)

Amend the bill by deleting sections 318 through 334.

AMENDED ANALYSIS

Delete paragraph 102.

Rep. Rowe spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 334 - NAYS 34

YEAS - 334

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Butler, Edward	Chandler, Gene	Comeau, Ed
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Hunt, John	Ley, Douglas
McConnell, Jim	Parkhurst, Henry	Pearson, William	Phillips, Larry
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Massimilla, Linda	Piper, Wendy	Townsend, Charles	White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cohen, Alan
Cornell, Patricia
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Kurk, Neal
LeBrun, Donald
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Silva, Peter
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hill, Gregory
Hirsch, Geoffrey
Hoell, J.R.
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Moffett, Howard
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Turcotte, Alan
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis

Spillane, James	Sweeney, Joe	Sytek, John	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Baber, William	Beaudoin, Steven	Bickford, David	Bixby, Peter
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Gray, James	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Turcotte, Leonard	Verschueren, James	Wall, Janet
Ward, Kenneth	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

NAYS - 34

CARROLL

Buco, Thomas	Wright, Ted		

CHESHIRE

Eaton, Daniel	Mann, John	Robertson, Timothy	Sad, Tara
Weber, Lucy			

COOS

Froburg, Alethea

GRAFTON

Ford, Susan	Maes, Kevin	Nordgren, Sharon	Smith, Suzanne
Sykes, George			

HILLSBOROUGH

Cote, David	Danielson, David	DiSilvestro, Linda	Goley, Jeffrey
Hansberry, Daniel	Harvey, Suzanne	Leishman, Peter	O'Neil, William
Rosenwald, Cindy			

MERRIMACK

Bartlett, Christy	Luneau, David	Rogers, Katherine	Shurtleff, Stephen
Wallner, Mary Jane			

ROCKINGHAM

Emerick, J. Tracy	Gordon, Pamela	McKinney, Betsy	

STRAFFORD

Berube, Roger	Burton, Wayne	Kaen, Naida	Smith, Marjorie

and floor amendment (1196h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1208h).

Floor Amendment (1208h)

Amend the bill by replacing section 275 with the following:

275 Driver Training Fund. Amend RSA 263:52, II to read as follows:

II. The $40 vanity plate service fee and the fee for renewal of vanity number plates shall automatically be credited to the driver training fund until all fees in such fund equal the amount of money estimated by the general court as available for expenditure for course materials, licensing of schools, and certification services in connection with driver training from that fund for that fiscal

year. Once the driver training course materials, licensing of schools, and certification services have been funded in accordance with the legislative estimates for the current fiscal year, the next [~~1.5 million dollars~~] ***$2,000,000*** shall be transferred to the department of safety as restricted revenue, thereafter the balance of all such fees shall be transferred to the general fund and shall be available as unrestricted revenue.

Amend the bill by deleting section 350.

AMENDED ANALYSIS

Delete paragraph 109.

Rep. Hoell spoke in favor.

Rep. Umberger spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 91 - NAYS 273

YEAS - 91

BELKNAP

Aldrich, Glen	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
LeBreche, Shari	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Nelson, Bill	Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Gionet, Edmond	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Bouldin, Amanda	Burt, John
Christensen, Chris	Christie, Rick	Coffey, James	Eastman, Eric
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Gidge, Kenneth
Goulette, William	Hansen, Peter	Hogan, Edith	Katsiantonis, Thomas
Marston, Dick	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ohm, Bill	Parison, James
Rice, Kimberly	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Silva, Peter	Simmons, Tammy	Stepanek, Stephen	Ulery, Jordan
Zaricki, Nick			

MERRIMACK

Brewster, Michael	Hoell, J.R.	Long, Douglas	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Baldasaro, Alfred	Bates, David
Duarte, Joe	Gannon, William	Gordon, Richard	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Lundgren, David	Oligny, Jeffrey	Osborne, Jason	Schroadter, Adam
Spillane, James	Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	Tucker, Pamela	Wood, David	

STRAFFORD

Bickford, David	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Bridge, Ernest

NAYS - 273

BELKNAP

Dumais, Russell
Fields, Dennis
Fisher, Robert
Hurt, George
Luther, Robert
Spanos, Peter
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Murotake, David
O'Brien, Michael
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Twombly, Timothy
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June

French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hill, Gregory
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Allen, Mary
Azarian, Gary
Barnes, Arthur
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sherman, Thomas
Simpson, Alexis
Sytek, John
True, Chris
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth

STRAFFORD

Baber, William
Beaudoin, Steven
Berube, Roger
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Turcotte, Leonard
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

and floor amendment (1208h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 194 - NAYS 179

YEAS - 194

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Chandler, Gene
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Gionet, Edmond
Hennessey, Erin
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Straight, Phillip
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

French, Harold
Hill, Gregory
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gordon, Richard
Griffin, Mary
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kappler, Lawrence
Katsakiores, Phyllis
Kolodziej, Walter
Lundgren, David
Major, Norman
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Spillane, James
Sweeney, Joe
Sytek, John
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 179

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Comeau, Ed
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Rideout, Leon
Theberge, Robert	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Darrow, Stephen	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Burt, John	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Fromuth, Bart	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Katsiantonis, Thomas	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Sanborn, Laurie
Shattuck, Gilman	Shaw, Barbara	Silva, Peter	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Stepanek, Stephen	Sullivan, Daniel
Vann, Ivy	Walsh, Robert	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hoell, J.R.	Karrick, David	Kenison, Linda
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Wheeler, Deborah		

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Berrien, Skip	Borden, David
Cahill, Michael	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gannon, William	Gordon, Pamela	Guthrie, Joseph	Heffron, Frank
Itse, Daniel	Kellogg, Shem	Lovejoy, Patricia	McBeath, Rebecca
Moody, Marcia	Pantelakos, Laura	Schroadter, Adam	Sherman, Thomas
Simpson, Alexis	Tamburello, Daniel	Tasker, Kyle	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Groen, Warren
Horrigan, Timothy	Kaen, Naida	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard	Verschueren, James
Wall, Janet	Ward, Kenneth	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Converse, Larry	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.
Reps. Itse and Stepanek voted Nay and intended to vote Yea.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Flanagan moved that the House reconsider its action whereby, on a roll call vote of 194-179, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 2-FN-A-L,** relative to state fees, funds, revenues, and expenditures.
Rep. Flanagan spoke against.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 217

YEAS - 161

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Darrow, Stephen	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Fromuth, Bart	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Jeudy, Jean	Katsiantonis, Thomas
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Straight, Phillip
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Hoell, J.R.	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

NAYS - 217

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin	

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn

Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Belanger, Ronald	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	DeSimone, Debra	Devine, James	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Lundgren, David
Major, Norman	Matthews, Carolyn	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sweeney, Joe	Sytek, John	Tamburello, Daniel
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

and the motion failed.

REGULAR CALENDAR CONT'D

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Neal M. Kurk for the Majority of Finance. This bill is the state's budget for the next two fiscal years. As house rules require, it is a balanced budget. Unlike the governor's $11.486 billion budget, this committee budget is balanced with no new or increased taxes and is based on the unanimous house ways and means revenue estimates. It appropriates $11.159 billion in total funds for the next biennium, up 3.3% from the $10.797 billion appropriated in the current biennium. Included in that

total are $2.732 billion in general funds, up 2.8% from the $2.657 billion appropriated in the current biennium. These appropriations meet the state's responsibilities in providing general government, health and human services, justice and public protection, environmental services, transportation and education, among others. While some appropriations were increased, in order to "live within our means," a number of appropriations had to be reduced. These reductions were difficult and painful for finance committee members to make. Some highlights of the budget: funding for opening the new women's prison is not included in the budget, as this new facility will not open until the next biennium. Various vacant positions throughout departments and agencies were unfunded, and hiring dates for other positions were delayed. The liquor commission will now pay its retirees' health costs, as will the racing and charitable gaming commission. The retiree health plan has been restructured so that the "Cadillac tax" under the Affordable Care Act will no longer apply. The premium amount for retirees under 65 has been increased to 20 percent, but for those retirees 65 and older there is still no cost. The new efficiency office will start one year later. E-filing funding in the department of revenue administration (DRA) remains, as does e-court funding in the judicial branch. Both of these programs will benefit residents and businesses. Business support in DRED remains, with funding for a new customer relations management system. The rooms and meals tax payments received by towns in FY 15 have been level funded for the biennium. The tourism bureau will receive $3 million less in rooms and meals tax revenue for each year of the biennium. Multi-state and other auditor positions at DRA proposed by the governor and modified by the house should increase revenue by $8 million, an increase approved by house ways and means. A new joint licensing board resulted in a cost avoidance, as five proposed positions could be eliminated. Catastrophic special education aid to schools was increased to 100% of its estimated cost in FY 17, a significant saving to local school budgets. Community college funding was increased by almost $4.0 million over the current biennium. The university system will receive the same level of funding in the next biennium as it is receiving in the current biennium. The police standards and training council was funded at the governor's level. The fish and game commission executive director was empowered to set various fees, and $600,000 in general funds was appropriated to the department for the biennium. No new members will be added to the commission. In FY 16, the process of tapering down the stabilization grant program, developed and funded in 2012 to assist schools in the transition to the new adequacy formula, will begin. These grants were designed as a stop-gap measure, not a permanent program. School districts with growing student populations and school districts with declining student populations will receive the amounts the adequacy formula requires beginning in FY 17. To ease the transition, no district will see its grant reduced by more than $750,000 in FY 2017. The department of safety appropriation was reduced by $5 million, and $65.5 million of its total appropriation now comes from the general fund, allowing more highway funds to support the department of transportation (DOT). DOT's budget for new equipment purchases was reduced by $20 million and winter maintenance by $4 million. The $68 million shortfall in the DOT operating budget has been made up by a combination of supplanting general funds in place of highway funds in the department of safety's budget and unrestricting revenue dedicated for highway and bridge betterment program. The net result is that DOT is funded at a level that, for the next two years, will allow it to continue to perform its operations as it is currently. When compared to the previous biennium, municipal block grant aid and municipal bridge aid remains at the same level, and funding for the widening of I-93 was not changed. This budget provides the department of health and human services (HHS) with an increase of $78 million in general funds and $131 million in total funds above current spending levels. Funding is provided to open 25 new beds in the veterans' home. Additional costs, due to the expanded eligibility of Medicaid, increased mental health services and additional payments to hospitals for uncompensated care, totaling $123 million in general funds, necessitated reductions elsewhere. By allowing expanded Medicaid to sunset in accordance with current law, and by eliminating the related Health Insurance Protection Program, the governor's proposed budget was reduced by $15.4 million in general funds. The developmental services waitlist and Medicaid waiver services were combined into one account, and the budget for developmental services was reduced by $26 million in general funds. Non-Medicaid services for the elderly were reduced by $10.6 million in general funds with the understanding that meals-on- wheels service levels will not be reduced. The Servicelink program, which provides information and assistance, but does not provide direct services to the elderly, was unfunded. Nursing Facility Quality Assessment payments for nursing home were reduced by $19 million in general funds, partially offset for county nursing homes by $5.7 million of increased proportionate share revenue. The so-called "county cap"

on the cost of Medicaid services for the elderly was increased by less than 2% per year. Funding for substance abuse was continued at the same level as in the current biennium. This budget is a "business as usual" budget. It pays for essential state services for the next two years; it does not deal with the larger issues facing our state, including an aging population, a dearth of young adults and an all-too-slowly growing economy, to the disappointment of many committee members. Vote 14-9. Rep. Mary Jane Wallner for the Minority of Finance. The proposed budget fails the citizens of New Hampshire in several important ways. It ignores the warnings of major economists that we must invest in our future to attract a well-educated workforce that will help move our economy forward. The budget reduces K-12 education aid by $27 million, risking the readiness of our students to be college and career-ready. Both community colleges and the university system receive less than the recommended funding in the governor's budget, by a combined total of more than $32 million. The university system will receive less money in 2016 than it did in 2015, despite our students having some of the highest college cost and debt burden in the nation. The budget cuts investment in our infrastructure and, at the same time, downshifts costs to maintain crumbling roads and bridges to our communities. By sweeping $50 million from the Renewable Energy Fund, the budget breaks the promise made by republicans in January not to raid dedicated funds; at the same time it eliminates virtually all funding to develop new energy infrastructure projects that offer good jobs and lower municipal energy costs. By diverting $14 million from last session's gas tax increase to the general fund; this budget breaks the legislature's promise to spend all of the added revenue fixing our eroding transportation infrastructure. The proposed budget also downshifts nearly $6 million to our counties for long term care by raiding the "bed tax" funds. Broken promises and downshifting are magnified as revenue sharing to cities and towns is frozen, restricting state funding at the same time some communities will see loss of up to $750,000 in education stabilization grants and all communities will see the fiscal impact of cuts to vital safety net programs that help vulnerable seniors and individuals with mental illness or disabilities. Programs that enable the elderly to remain in the community with dignity and stay off the more expensive Medicaid program are reduced. Funding for developmental disabilities programs is reduced below the current biennium's level, decreasing the availability of community services that prevent institutionalization, and increasing the risk both of personal harm to individuals and litigation for the state. Cuts to mental health services will add to the number of people experiencing a mental health crisis, held in emergency rooms across the state while they wait for a psychiatric hospital bed. This budget cuts access to emergency shelter for homeless veterans, families, and victims of domestic violence. This budget refuses to address the epidemic of drug abuse that affects employers along with families, increases the strain on law enforcement and corrections budgets, and puts public safety at risk. The Sununu Center, which provides services to our most troubled youth, is cut by nearly a third with no feasible plan to maintain operations. In addition, the budget eliminates funding at the end of 2016 for the New Hampshire Health Protection Program. Ending this program, currently helping almost 40,000 granite staters, may lead to destabilization of both the health care provider system and our insurance markets along with greater burden on local welfare offices. All of these cuts to safety net programs can be expected to be downshifted to local communities as the needs will certainly not disappear. In addition to all other broken promises, the budget effectively increases the tax burden on business as energy costs continue to rise without investment in new energy projects and private nursing home payments are cut by $26 million in bed tax payments. Collective bargaining agreements are not funded in this budget, undermining our state employees and breaking our promise to them. The minority believes these short-sighted cuts will make it harder for vulnerable individuals to live decently and with human dignity, and the lack of investment in our economy will hurt New Hampshire long into the future.

Majority Amendment (1164h)

Amendment to HB 1-A

Amend the bill by replacing all after the section 1.07 with the following:

1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1 the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. The appropriation budgeted in class 023-heat-electricity-water, class 027-transfers to DoIT, class 028-transfers to general services, class 035-shared services support, class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance,

shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO. For the biennium ending June 30, 2017, the following account numbers within the department of resources and economic development: 03-35-35-351510-3701, 0335-35-351510-3745, 033535351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 033535-351510-3556, 033535351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 033535-351510-3488, 033535351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 033535-351510-3777, 033535351510-8146, 03-35-35-351510-6161, 03-35-35-351510-3717, and 0335-35-351510-3703 shall be exempt from these provisions.

B. The appropriation budgeted in class 047-own forces maintenance-buildings and grounds, class 048-contractual maintenance-buildings and grounds, shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2017. For the biennium ending June 30, 2017, the following account numbers within the department of resources and economic development: 0335-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 033535-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 033535-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 033535-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-8146, 03-35-35-351510-6161, 033535-351510-3717 and 03-35-351510-3703 shall be exempt from the shall not be transferred or expended for any other purpose portion of this provision.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The appropriation budgeted in class 040-indirect costs are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 2017.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2017.

H. Not used.

I. In the event that estimated revenue in revenue class 001-transfers for other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2017, account number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The provisions of this footnote do not apply to federal funds covered by RSA 124:14.

J. This appropriation, to be administered by the commissioner, is for the necessary equipment needs of the department and shall be expended at the commissioner's discretion.

2 General Fund and Total Appropriation Limits. The amounts included in section 1 for all university system accounts and community college system accounts, under estimated source of funds from general funds, shall be the total appropriation from general funds for such accounting units that may be expended for the purpose of section 1 of this act. Any funds received by said systems from other than general funds are hereby appropriated for the use of the systems and may be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefor.

3 Assignment of Office Space. If, during the biennium ending June 30, 2017, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, account number 01-14-14-141510-2950 for maintenance of state buildings.

4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2017, in order to provide sufficient funding to the lottery commission to carry out lottery games that will provide funds for distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new games, the expansion of any existing lottery games, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed $6,000,000 for the biennium ending June 30, 2017.

5 Positions Abolished.

I. The following positions are hereby abolished effective at the close of business on June 30, 2015:

Department of Information Technology					
01-03-03-030010-7708	10182	10193	17106	19663	20166
	21131	21591	30066	41136	42041
	42129				
Department of Administrative Services					
01-014-014-141510-2950	10131				
01-014-014-141510-2042	9U461				
01-014-014-141510-8050	18027				
01-014-014-141510-8000	13322	13324			
Office of Professional Licensure and Certification					
01-021-021-212010-2405	41607	13763			
01-021-021-215010-2406	19881	42413	42831		
Adjutant General Department					
02-012-012-120010-2240	43161	43162	43163		
New Hampshire Insurance Department					
02-024-024-240010-2521	41776				
Department of Labor					
02-026-026-261010-6200	10987				
NH Employment Security					
02-27-27-270010-8040	11037	11040	11048	11050	11052
	11059	11066	11089	11127	11180
	11207	11213	11215	11248	11259
	11264	11266	11269	11270	11284
	11289	11297	11307	11317	30142
	41216	42025	43667		
New Hampshire Banking Department					
02-072-072-720010-2046	13789				
02-072-072-720510-2043	43341				
Department of Transportation					
04-096-096-962015-3025	20761	20845	21770		
04-096-096-962015-3028	21499				
04-096-096-962015-3032	21160				
04-096-096-962015-3034	21233				
04-096-096-960515-3035	21174				
04-096-096-960515-3005	20285				
04-096-096-960515-3007	17289	20654	21530		
Department of Health and Human Services					
05-095-042-421510-7917	11668				
05-095-042-427010-7929	12263				
05-095-045-450010-6127	43635				
05-095-047-470010-7937	14690	40876	42628	42906	
05-095-048-480510-9250	15737				
05-095-049-491510-2987	16604	42891			
05-095-090-903010-7966	12027				

05-095-094-940010-8750	15930	9U443	9U444	9U445	9U446
	9U449	9U450			
05-095-095-951010-7935	15745				
05-095-095-952010-5683	12193				
05-095-095-952010-5146	14640	17416	19610		
05-095-095-953010-5677	40354				
05-095-095-954010-5952	43577				
New Hampshire Department of Education					
06-056-056-563510-8277	41106				
06-056-056-563010-7540	43519				
06-056-056-562110-4985	42290				
06-056-056-562110-4993	42296				
06-056-056-562010-6424	42780	42779			
06-056-056-563010-3095	19169	19790			
06-056-056-563010-3274	42286				
06-056-056-563010-6101	42288				
06-056-056-562110-4980	43260				
06-056-056-564010-3002	41105	16941	13318	13308	
06-056-056-565010-4095	42768				
06-056-056-566510-1859	43263				
06-056-056-565510-4020	13271	19798			
06-056-056-565510-4040	30379	40578			
06-056-056-565510-4080	13110				
New Hampshire Lottery Commission					
06-083-083-830014-4972	9U162				
Police Standards and Training					
06-087-087-870510-8980	40309				
06-087-087-871010-8999	14553				

II. The following positions are hereby abolished effective at the close of business on June 30, 2016:

Department of Information Technology					
01-03-03-030010-7708	9U451				
New Hampshire Lottery Commission					
06-083-083-830014-4972	9U160	9U161			

III. The following positions are hereby abolished at the close of business on January 1, 2017:

05-095-045-451010-7993	11610	11852	12162	12356	12725
	14621	14894	15703	15753	15837
	16065	16272	16350	16431	16504
	16553	16959	18989	19183	19459
	19463	30887	40347	40372	40515
	41081	42095	42761	42997	43633

6 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account number 05-95-42-427010-7929, class 049, includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.

7 Liquor Commission; Revenue Shortfalls. If the transfer from the liquor commission to the general fund falls short of the revenue plan in the fiscal year ending June 30, 2016 or the fiscal year ending June 30, 2017, the commission shall reduce expenditures by an amount equal to the shortfall up to 5 percent of the annual operating budget and shall provide a report of the reductions to the comptroller and the commissioner of the department of administrative services.

8 Department of Safety; Reduction in Highway Fund Appropriation; Increase in General Fund Appropriation.

I. The department of safety shall reduce state highway fund appropriations by $23,030,081 in the fiscal year ending June 30, 2016 and $23,030,081 in the fiscal year ending June 30, 2017.

II. In addition to funds otherwise appropriated, there is hereby appropriated to the department of safety the sum of $23,030,081 in the fiscal year ending June 30, 2016 and $23,030,081 in the fiscal year ending June 30, 2017. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

III. The department of safety shall provide a report to the fiscal committee of the general court detailing the reduction in paragraph I of this section and the appropriation in paragraph II of this section no later than July 31 of each fiscal year.

9 Department of Transportation; Reduction in Highway Fund Appropriation; Increase in Restricted Revenue Appropriation.

I. The department of transportation shall reduce state highway fund appropriations by $10,000,000 in the fiscal year ending June 30, 2016 and $4,763,376 in the fiscal year ending June 30, 2017.

II. In addition to funds otherwise appropriated, there is hereby appropriated to the department of transportation the sum of $10,000,000 in the fiscal year ending June 30, 2016 and $4,763,376 in the fiscal year ending June 30, 2017, of restricted revenue pursuant to RSA 260:32-b, II(e) and RSA 260:32-b, III(c). Any unexpended portion of this appropriation shall lapse to the highway and bridge betterment account under RSA 235:23-a, at the end of the biennium ending June 30, 2017.

III. The department of transportation shall provide a report to the fiscal committee of the general court detailing the reduction in paragraph I of this section and the appropriation in paragraph II of this section no later than July 31 of each fiscal year.

10 Appropriation; Fish and Game Department.

I. The sum of $300,000 for the fiscal year ending June 30, 2016 and the sum of $300,000 for the fiscal year ending June 30, 2017 are hereby appropriated to the fish and game department. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. Of the sum appropriated in paragraph I, $150,000 in each fiscal year shall be used for search and rescue overtime.

11 Estimates of Unrestricted Revenue.

GENERAL FUND	FY 2016	FY 2017
BUSINESS PROFITS TAX	$270,600,000	$275,700,000
BUSINESS ENTERPRISE TAX	72,100,000	73,500,000
SUBTOTAL BUSINESS TAXES	342,700,000	349,200,000
MEALS AND ROOMS TAX	278,700,000	291,200,000
TOBACCO TAX	126,800,000	126,100,000
TRANSFER FROM LIQUOR	141,400,000	146,300,000
INTEREST AND DIVIDENDS TAX	81,500,000	81,500,000
INSURANCE	116,800,000	104,300,000
COMMUNICATIONS TAX	61,500,000	63,000,000
REAL ESTATE TRANSFER TAX	71,900,000	74,800,000
COURT FINES & FEES	13,800,000	13,800,000
SECURITIES REVENUE	42,200,000	42,800,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BEER TAX	13,400,000	13,400,000
OTHER REVENUES	69,800,000	70,200,000
TOBACCO SETTLEMENT	2,300,000	0
MEDICAID RECOVERIES	9,800,000	10,400,000
TOTAL GENERAL FUND	1,378,600,000	1,393,000,000

EDUCATION FUND	FY 2016	FY 2017
BUSINESS PROFITS TAX	57,400,000	58,500,000
BUSINESS ENTERPRISE TAX	146,600,000	149,300,000
SUBTOTAL BUSINESS TAXES	204,000,000	207,800,000
MEALS AND ROOMS TAX	8,800,000	9,200,000

TOBACCO TAX	87,400,000	86,900,000
REAL ESTATE TRANSFER TAX	41,500,000	43,200,000
TRANSFER FROM LOTTERY	73,200,000	75,200,000
TRANSFER FROM RACING & CHARITABLE GAMING	2,500,000	2,500,000
TOBACCO SETTLEMENT	40,000,000	39,000,000
UTILITY PROPERTY TAX	41,300,000	41,800,000
STATEWIDE PROPERTY TAX	363,100,000	363,100,000
TOTAL EDUCATION FUND	861,800,000	868,700,000

FISH AND GAME FUND	FY 2016	FY 2017
FISH AND GAME LICENSES	8,500,000	8,500,000
FINES AND MISCELLANEOUS	1,800,000	1,800,000
TOTAL FISH AND GAME FUND	10,300,000	10,300,000

12 Effective Date. This act shall take effect July 1, 2015.

Reps. Marjorie Smith and Eaton spoke against.

Rep. Kurk spoke in favor.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 162

YEAS - 210

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Crawford, Karel	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda	Goulette, William
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry

Parison, James
Rice, Kimberly
Scontsas, Lisa
Smith, Gregory
Twombly, Timothy
Pellegrino, Anthony
Rouillard, Claire
Seidel, Carl
Stepanek, Stephen
Ulery, Jordan
Peterson, Ken
Rowe, Robert
Silva, Peter
Straight, Phillip
Wolf, Terry
Pierce, David
Schleien, Eric
Simmons, Tammy
Sullivan, Victoria
Zaricki, Nick

MERRIMACK

French, Harold
Horn, Werner
Long, Douglas
McGuire, Dan
Hess, David
Kidder, David
Marple, Richard
Parent, Jason
Hill, Gregory
Kotowski, Frank
Martin, John
Seaworth, Brian
Hoell, J.R.
Kuch, Bill
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Bush, Carol
Christie, Andrew
Doucette, Fred
Ferrante, Beverly
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Milz, David
Osborne, Jason
Priestley, Anne
Sweeney, Joe
True, Chris
Webb, James
Wood, David
Abramson, Max
Barnes, Arthur
Cardon, G. Thomas
Cook, Allen
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Tucker, Pamela
Welch, David
Allen, Mary
Bates, David
Chase, Francis
DeSimone, Debra
Elliott, Robert
Gannon, William
Hagan, Joseph
Introne, Robert
Kellogg, Shem
McKinney, Betsy
O'Connor, John
Peckham, Michele
Rice, Frederick
Tasker, Kyle
Vose, Michael
Weyler, Kenneth
Azarian, Gary
Belanger, Ronald
Chirichiello, Brian
Devine, James
Emerick, J. Tracy
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Kolodziej, Walter
McMahon, Charles
Oligny, Jeffrey
Potucek, John
Spillane, James
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Turcotte, Leonard
Bickford, David
Hannon, Joseph
Leeman, Don
Whitehouse, Joshua
Cheney, Catherine
Jones, Laura
Mullen, John
Wuelper, Kurt
Gray, James
Kaczynski, Jr., Thomas
Pitre, Joseph

SULLIVAN

Bridge, Ernest
Smith, Steven
Grenier, James
Laware, Thomas
Rollins, Skip

NAYS - 162

CARROLL

Buco, Thomas
Butler, Edward
Comeau, Ed
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Mann, John
Roberts, Kris
Tatro, Bruce
Ames, Richard
Eaton, Daniel
Parkhurst, Henry
Robertson, Timothy
Tilton, Benjamin
Berch, Paul
Emerson, Susan
Pearson, William
Sad, Tara
Weber, Lucy
Bordenet, John
Ley, Douglas
Phillips, Larry
Shepardson, Marjorie

COOS

Froburg, Alethea
Thomas, Yvonne
Hatch, William
Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Brown, Chris	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Bouldin, Amanda
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Fromuth, Bart	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Jeudy, Jean	Katsiantonis, Thomas
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	Moore, Josh	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Sanborn, Laurie
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Souza, Kathleen	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Schroadter, Adam	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Wallner offered floor amendment (1168h).

Floor Amendment (1168h)

Amend the bill by inserting after section 10 the following and renumbering the original sections 11 and 12 to read as 15 and 16, respectively:

11 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, division of developmental services the sum of $22,000,000 for fiscal year 2016, and $30,000,000 for fiscal year 2017 is hereby appropriated. Of said appropriations, $11,000,000 shall be from state general funds, and $11,000,000 shall be from federal funds for fiscal year 2016, and $15,000,000 shall be from state general funds, and $15,000,000 shall be from federal funds for fiscal year 2017. The governor is hereby authorized to draw a warrant for said state general fund sum out of any money in the treasury not otherwise appropriated.

12 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, bureau of elderly and adult services, social services, the sum of $5,200,000 for fiscal year 2016, and $5,350,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

13 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, bureau of elderly and adult services, Servicelink, the sum of $1,300,000 for fiscal year 2016, and $1,300,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

14 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, emergency shelters account 05-95-42-4230-7928, the sum of $2,000,000 for fiscal year 2016, and $2,000,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Reps. Burt and Rogers spoke in favor.

Rep. Dan McGuire spoke against and yielded to questions.

Rep. Hoelzel requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 193

YEAS - 182

BELKNAP

Fields, Dennis			

CARROLL

Buco, Thomas	Butler, Edward	Comeau, Ed	Nelson, Bill
Parker, Harold	Ticehurst, Susan		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Darrow, Stephen	Ford, Susan
Hennessey, Erin	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Burt, John	Christensen, Chris	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Eastman, Eric
Estevez, Eric	Forest, Armand	Freitas, Mary	Fromuth, Bart
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McCarthy, Peggy	McNamara, Richard	O'Brien, Michael	O'Neil, William

Porter, Marjorie
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Scontsas, Lisa
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abramson, Max
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cushing, Robert
DiFranco, Debbie
Doucette, Fred
Francese, Paula
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Sytek, John
Tucker, Pamela
Ward, Gerald
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Hannon, Joseph
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew

NAYS - 193

BELKNAP

Aldrich, Glen
Dumais, Russell
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Gionet, Edmond
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Byron, Frank
Christiansen, Lars	Christie, Rick	Coffey, James	Danielson, David
Edelblut, Frank	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Marston, Dick	Martel, Andre	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Bates, David	Belanger, Ronald	Bush, Carol	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
DeSimone, Debra	Devine, James	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Gannon, William
Gordon, Richard	Griffin, Mary	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
Major, Norman	Matthews, Carolyn	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Spillane, James	Sweeney, Joe	Tasker, Kyle	Thomas, Douglas
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Wood, David	

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Mullen, John	Pitre, Joseph	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Grenier, James	Smith, Steven

and floor amendment (1168h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

(Rep. Packard in the Chair)

Rep. Rogers offered floor amendment (1170h).

Floor Amendment (1170h)

Amend the bill by inserting after section 10 the following and renumbering the original sections 11-12 to read as 14-15, respectively:

11 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, medicaid managed care, medical payments to providers, substance use disorder benefit, the sum of $6,600,000 for fiscal year 2017 is hereby appropriated. Of said appropriation, $3,300,000 shall be from state general funds, and $3,300,000 shall be from federal funds. The governor is hereby authorized to draw a warrant for said state general fund sum out of any money in the treasury not otherwise appropriated.

12 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, governor's commission fund the sums of $2,000,000 for fiscal year 2016 and $4,000,000 for fiscal year 2017 are hereby appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

13 Department of Safety; Appropriation. In addition to any other sums appropriated to the department of safety, state police forensic lab, the sums of $203,968 for fiscal year 2016 and $240,995 for fiscal year 2017 are hereby appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Reps. Rogers and Eaton spoke in favor.

Rep. Byron spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 214

YEAS - 157

BELKNAP

Fields, Dennis

CARROLL

Buco, Thomas | Butler, Edward | Ticehurst, Susan | Wright, Ted

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Bordenet, John
Chase, Cynthia | Eaton, Daniel | Emerson, Susan | Ley, Douglas
Mann, John | Parkhurst, Henry | Pearson, William | Phillips, Larry
Robertson, Timothy | Sad, Tara | Shepardson, Marjorie | Tatro, Bruce
Tilton, Benjamin | Weber, Lucy

COOS

Froburg, Alethea | Hatch, William | Moynihan, Wayne | Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard | Almy, Susan | Bennett, Travis | Brown, Chris
Brown, Rebecca | Cooney, Mary | Ford, Susan | Hennessey, Martha
Higgins, Patricia | Maes, Kevin | Massimilla, Linda | Nordgren, Sharon
Smith, Suzanne | Sykes, George | Townsend, Charles | White, Andrew

HILLSBOROUGH

Backus, Robert | Beaulieu, Jane | Booras, Efstathia | Brown, Pamela
Cohen, Alan | Cornell, Patricia | Cote, David | DiSilvestro, Linda
Forest, Armand | Freitas, Mary | Gargasz, Carolyn | Gidge, Kenneth
Goley, Jeffrey | Gonzalez, Carlos | Gorman, Mary | Guerette, C. Lee
Hansberry, Daniel | Harvey, Suzanne | Heath, Mary | Herbert, Christopher
Jack, Martin | Jeudy, Jean | Leishman, Peter | Long, Patrick
Mangipudi, Latha | Manley, Jonathan | McNamara, Richard | O'Brien, Michael
O'Neil, William | Porter, Marjorie | Roberts, Carol | Rosenwald, Cindy
Shattuck, Gilman | Shaw, Barbara | Smith, Timothy | Snow, Kendall
Soucy, Timothy | Sullivan, Daniel | Vann, Ivy | Walsh, Robert
Williams, Kermit | Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	French, Barbara
French, Harold	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Doucette, Fred	Francese, Paula	Gordon, Pamela
Heffron, Frank	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet	Whitehouse, Joshua	

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

NAYS - 214

BELKNAP

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Coffey, James	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn

Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Silva, Peter	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	Frazer, June	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Major, Norman
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Peckham, Michele	Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Sweeney, Joe
Sytek, John	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gardner, Janice
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Wuelper, Kurt	

SULLIVAN

Grenier, James	Laware, Thomas	Rollins, Skip	Smith, Steven

and floor amendment (1170h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

(Speaker Jasper in the Chair)

Rep. Eaton offered floor amendment (1171h).

Floor Amendment (1171h)

Amend the bill by inserting after section 10 the following and renumbering the original sections 11-12 to read as 14-15, respectively:

11 University System of New Hampshire; Appropriation. In addition to any other sums appropriated to the university system of New Hampshire, the sums of $10,500,000 for fiscal year 2016 and $17,500,000 for fiscal year 2017 are appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

12 Community College System of New Hampshire; Appropriation. In addition to any other sums appropriated to the community college system of New Hampshire, the sum of $1,500,000 for fiscal year 2016 and $3,730,000 for fiscal year 2017 are appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

13 Department of Resources and Economic Development; Appropriation. In addition to any other sums appropriated to the department of resources and economic development, travel development fund, the sums of $3,769,914 for fiscal year 2016 and $3,748,072 for fiscal year 2017 are hereby appropriated. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

Reps. Ford and Marjorie Smith spoke in favor.

Rep. Weyler spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 218

YEAS - 151

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Ley, Douglas	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Jack, Martin	Jeudy, Jean
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	O'Neil, William	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
DiFranco, Debbie	Francese, Paula	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Schroadter, Adam	Sherman, Thomas	Simpson, Alexis	Sweeney, Joe
Ward, Gerald			

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

NAYS - 218

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly

Rouillard, Claire	Rowe, Robert	Schleien, Eric	Scontsas, Lisa
Seidel, Carl	Shaw, Barbara	Silva, Peter	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Parent, Jason	Seaworth, Brian
Walsh, Thomas			

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	DeSimone, Debra	Devine, James	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	Kolodziej, Walter	Major, Norman	Matthews, Carolyn
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Packard, Sherman
Peckham, Michele	Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine
Rice, Frederick	Spillane, James	Sytek, John	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gardner, Janice
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

and floor amendment (1171h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Nordgren offered floor amendment (1172h).

Floor Amendment (1172h)

Amend the bill by inserting after section 10 the following and renumbering the original sections 11 and 12 to read as 14 and 15, respectively:

11 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, division of public health, community health centers, the sum of $1,000,000 for fiscal year 2016, and $1,000,000 for fiscal year 2017 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

12 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the department of health and human services, New Hampshire Hospital, the sum of $1,900,000 for fiscal year 2016 is hereby appropriated. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

13 Department of Health and Human Services; Appropriation. In addition to any other sums appropriated to the Department of Health and Human Services, LTC-county participation account 05-95-48-4810-7872, the sum of $10,000,000 for fiscal year 2016, and $10,000,000 for fiscal year 2017 is hereby appropriated. Of said appropriations, $5,000,000 shall be from state general funds, and $5,000,000 shall be from federal funds for fiscal year 2016, and $5,000,000 shall be from state general funds, and $5,000,000 shall be from federal funds for fiscal year 2017. The governor is hereby authorized to draw a warrant for said state general fund sum out of any money in the treasury not otherwise appropriated.

Reps. Nordgren and Rosenwald spoke in favor.

Rep. Byron spoke against.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 159 - NAYS 209

YEAS - 159

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	Edwards, Elizabeth
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Infantine, William
Jack, Martin	Jeudy, Jean	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Abramson, Max
Barnes, Arthur
Berrien, Skip
Borden, David
Cahill, Michael
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew

NAYS - 209

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Eastman, Eric
Edelblut, Frank
Ferreira, Elizabeth
Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

French, Harold	Hess, David	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Bates, David	Bush, Carol	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cook, Allen	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Gannon, William
Gordon, Richard	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Major, Norman
Matthews, Carolyn	McKinney, Betsy	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Packard, Sherman	Peckham, Michele	Potucek, John	Priestley, Anne
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Sweeney, Joe	Sytek, John	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Wood, David	

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

and floor amendment (1172h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hannon offered floor amendment (1219h).

Floor Amendment (1219h)

Amend the bill by inserting after section 10 the following and renumbering the original sections 11-12 to read as 12-13, respectively:

11 Appropriation; Department of Health and Human Services; General Fund Appropriations Reduction.

I. In addition to any other sums appropriated, the sum of $6,825,900 in fiscal year 2016 and $9,965,425 in fiscal year 2017 is hereby appropriated to the department of health and human services, division of developmental services. Of the total sums appropriated, $3,980,000 shall be from the general fund in fiscal year 2016, and $5,620,000 shall be from the general fund in fiscal year 2017. The governor is hereby authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. In addition to any calculated lapse and any other required reductions in appropriations, the governor is hereby authorized and directed to reduce general fund appropriations for state agencies by $3,980,000 in fiscal year 2016 and $5,620,000 in fiscal year 2017. The governor shall submit a plan to the fiscal committee of the general court for approval by August 1, 2015. Beginning September 30, 2015 and quarterly thereafter, the governor shall report to the fiscal committee of the general court the status in meeting the required reductions.

Reps. Hannon and McLean spoke in favor.

Rep. Dan McGuire spoke against and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 138 - NAYS 233

YEAS - 138

BELKNAP

Aldrich, Glen
Hurt, George

CARROLL

Buco, Thomas
Comeau, Ed

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Mann, John
McConnell, Jim
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Tilton, Benjamin

COOS

Hatch, William
Theberge, Robert
Thomas, Yvonne

GRAFTON

Bailey, Brad
Bennett, Travis
Brown, Chris
Cooney, Mary
Darrow, Stephen
Maes, Kevin
Massimilla, Linda
Piper, Wendy
Townsend, Charles

HILLSBOROUGH

Balcom, John
Beaulieu, Jane
Biggie, Barbara
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Coffey, James
Cohen, Alan
Cote, David
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Ferreira, Elizabeth
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gidge, Kenneth
Gonzalez, Carlos
Guerette, C. Lee
Hansberry, Daniel
Heath, Mary
Herbert, Christopher
Infantine, William
Jeudy, Jean
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McLean, Mark
O'Brien, Michael
Parison, James
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Soucy, Timothy
Sullivan, Daniel
Williams, Kermit
Zaricki, Nick

MERRIMACK

Bradley, Paula
Deloge, Helen
Doherty, David
Frazer, June
French, Harold
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Luneau, David
MacKay, James
Martin, John
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Saunderson, George
Turcotte, Alan
Wheeler, Deborah

ROCKINGHAM

Abramson, Max
Barnes, Arthur
Berrien, Skip
Borden, David
Bush, Carol
Cook, Allen
Cushing, Robert
DiFranco, Debbie
Doucette, Fred
Francese, Paula
Gordon, Pamela
Lovejoy, Patricia
McMahon, Charles
Moody, Marcia
Osborne, Jason
Pantelakos, Laura
Sherman, Thomas
Tucker, Pamela
Ward, Gerald
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Hannon, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Wall, Janet
Whitehouse, Joshua

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Irwin, Virginia
Laware, Thomas	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

NAYS - 233

BELKNAP

Dumais, Russell	Fields, Dennis	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Bordenet, John	Hunt, John	Ley, Douglas	Pearson, William
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Tholl, John	

GRAFTON

Abel, Richard	Almy, Susan	Brown, Duane	Brown, Rebecca
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Nordgren, Sharon	Smith, Suzanne	Sykes, George
White, Andrew			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Barry, Richard
Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Cornell, Patricia
Danielson, David	Flanagan, Jack	Gagne, Larry	Gargasz, Carolyn
Goley, Jeffrey	Gorman, Mary	Gould, Linda	Goulette, William
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Harvey, Suzanne	Hinch, Richard	Hogan, Edith	Hopper, Gary
Jack, Martin	Kurk, Neal	Lachance, Joseph	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McNamara, Richard
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	O'Neil, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Rowe, Robert	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Shattuck, Gilman	Silva, Peter	Snow, Kendall	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Vann, Ivy	Walsh, Robert
Wolf, Terry	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Brewster, Michael	Carson, Clyde
Ebel, Karen	French, Barbara	Hess, David	Hill, Gregory
Hoell, J.R.	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	McGuire, Carol	McGuire, Dan	Moffett, Howard
Parent, Jason	Rogers, Katherine	Schuett, Dianne	Seaworth, Brian
Shurtleff, Stephen	Wallner, Mary Jane	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Bates, David	Belanger, Ronald	Cahill, Michael	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	DeSimone, Debra
Devine, James	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey	Heffron, Frank
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	Milz, David
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Packard, Sherman
Peckham, Michele	Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Simpson, Alexis	Spillane, James
Sweeney, Joe	Sytek, John	Tasker, Kyle	Thomas, Douglas
True, Chris	Vose, Michael	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Wood, David	

STRAFFORD

Beaudoin, Steven	Bixby, Peter	Cheney, Catherine	Gray, James
Groen, Warren	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Stevens, Audrey	Treleaven, Susan	Turcotte, Leonard	Verschueren, James
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Gottling, Suzanne	Grenier, James	Rollins, Skip
Smith, Steven			

and floor amendment (1219h) failed.

Rep. Itse declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Wallner spoke against.

Rep. Kurk spoke in favor.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 161

YEAS - 212

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Balcom, John
Barry, Richard	Belanger, James	Biggie, Barbara	Boehm, Ralph
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Coffey, James	Danielson, David	Eastman, Eric
Edelblut, Frank	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda	Goulette, William
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Schleien, Eric	Scontsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Smith, Gregory	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Ulery, Jordan	Wolf, Terry	Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Parent, Jason	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kolodziej, Walter	Major, Norman	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Packard, Sherman	Peckham, Michele
Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick
Spillane, James	Sweeney, Joe	Sytek, John	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 161

CARROLL

Buco, Thomas
Butler, Edward
Comeau, Ed
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Beaulieu, Jane
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Hoell, J.R.
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Guthrie, Joseph
Heffron, Frank
Kellogg, Shem
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.
Rep. Backus voted Yea and intended to vote Nay.

MOTION TO VACATE

Rep. Kotowski moved that the House vacate the reference of **SB 64,** relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions, to the Committee on Health, Human Services and Elderly Affairs.
Motion adopted.

The Speaker referred **SB 64** to the Committee on Commerce and Consumer Affairs.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 15, 2015 at 10:00 a.m.
Motion adopted.

LATE SESSION

Third reading and final passage

SB 264, relative to tipped employees.
HB 25-FN-A, making appropriations for capital improvements.
HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.
HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.

UNANIMOUS CONSENT

Rep. Hess requested Unanimous Consent of the House regarding the Civil War and addressed the House.
Rep. DeSimone requested Unanimous Consent of the House regarding the OWLS and addressed the House.
Reps. Cahill and Irwin requested Unanimous Consent of the House regarding apologies and addressed the House.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Hess be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Hess: Thank you, Mister Speaker. On this very day, at this very hour, 150 years ago exactly, a hush settled over the fields and woodlands east and south of Richmond and Petersburg, Virginia. One hundred and twenty-eight thousand blue-clad soldiers of the Army of the Potomac under Ulysses Grant faced about 40,000 confederates in the Army of Northern Virginia under Lee. The final act of the most horrific, the most decisive, the most momentous chapter in American history was about to start. About 10 hours later, the Army of Northern Virginia slipped out of their trenches and began the slow march to try to escape from Grant, which ultimately wound up at Appomattox. There were 13 New Hampshire regiments on the line in Petersburg and Richmond. New Hampshire sent 19 regiments, 1 artillery battery and 3 companies of sharp shooters into the union army. Seventeen of those 19 regiments, they were all volunteers by the way, no one was drafted. Seventeen volunteered within the first 15 months of the war. Fourteen of those 19 were still on the line in April of 1865. One regiment, the 8th, was stationed in Natchez, Mississippi. I'll tell you how it got there, but that was actually the only cavalry regiment that New Hampshire ever contributed to the union army. Two regiments, the 3rd and the 7th were in Fort Fisher and Wilmington, North Carolina where they attacked the last blockade running port and captured it from the confederates. The remaining 2 regiments were in Charleston, South Carolina and Hilton Head and

one, the 14th, was at Fort Sumter on April 14, 1865 when the union flag, the stars and stripes, was again raised over Fort Sumter for the first time since 1861. Nine New Hampshire regiments were on the line at Petersburg and Richmond. They suffered horrendously during the war. Let me give you an example and tell you what our forefathers contributed to this. In 1860, the population of New Hampshire was 326,073 and 47,550 men were alive between the ages of 20 and 40. In the 4 years and 5 days of the civil war, 32,000 men from New Hampshire volunteered and served in the union army. Seventy-five percent of all men between the ages of 20 and 40 volunteered and fought. Ten percent of the population of this state volunteered and fought. To give you some indication of what that means in today's numbers. That would mean 120 some thousand men from the state of New Hampshire would don the uniform and leave this state to fight for a cause they believed in. That's how much of a contribution was made and they suffered tremendously. Seventeen percent of all officers of the 19 regiments of New Hampshire were either killed or wounded, almost 1 in 5. A number of our regiments suffered horrendous casualties. The 6th, the 7th and the 9th suffered more than 40% casualties over the course of the war. The 11th and the 12th suffered 30% casualties. Thirty percent of everybody who put on the uniform were either wounded or killed. The fighting 5th suffered the most casualties of any unit in the entire union army. Of a total of some 2,600 men who served in the 5th regiment of New Hampshire, 1,560 were either killed or wounded. Fifty-five percent of those men were either killed or wounded. That is the sacrifice that our forefathers made to ensure that this union would remain one nation under God. The game played out in that chapter. Several of those regiments, 5 of those regiments occupied Richmond as the army of Northern Virginia vacated it. One, the fighting 5th, continued around the left flank and followed Lee until he was cornered and surrendered at Appomattox. It's absolutely an incredible story. If you ever have the time and the interest and the inclination to find out what they did and what they suffered as a result, I would encourage you to do so. Thank you for your time.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.
Motion adopted.

The House recessed at 4:50 p.m.

RECESS

(Rep. Sprague in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 467.
Rep. Shurtleff, Sen. Prescott for the Committee

SENATE MESSAGE

CONCURRENCE WITH AMENDMENT

SB 264, relative to tipped employees.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 264.
Rep. Chandler, Sen. Soucy for the Committee

SENATE MESSAGE

CONCURRENCE

HB 107, relative to the retention of municipal trust fund bank statements.
HB 135, relative to qualifications of assistant election officials.
HB 166-L, relative to records storage by municipalities.
HB 170, relative to the advisory committee on international trade.

HB 175, establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.
HB 177-FN, relative to sales of alcoholic beverages by manufacturers.
HB 217-FN, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board.
HB 259, relative to the reporting date of the economic development strategy and plan.
HB 260, relative to the definition of antique motor vehicle or motorcycle.
HB 268, establishing a committee to study the adoption of low-impact housing development standards by the department of environmental services.
HB 275, relative to the encroachment of a town cemetery on state-owned land.
HB 310, relative to reporting the destruction of motor vehicles.
HB 408, making a technical correction relative to fees for chiropractors.
HB 429, reviving the commission to review and consider alcoholic beverage manufacturing processes and retail sales at manufacturing facilities.
HB 511, establishing a committee to study the funding of certain state aid grants.
HB 534, relative to the duties of the housing finance authority.

REREFERRED TO COMMITTEE

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions.
HB 606-FN-L, relative to costs for public records filed electronically.

CLERK'S NOTE

OPINION OF THE JUSTICES

Regarding a request dated March 18, 2015 on the constitutionality of **HB 112,** relative to domicile for voting purposes, by the House, the Supreme Court of New Hampshire gave the following opinion issued April 9, 2015 on the following questions of law:
1. Does HB 112 violate Part I, Article II of the New Hampshire State Constitution?
The court requested to be excused from answering question one at this time while awaiting the outcome on pending litigation scheduled to begin on April 22, 2015. Once the pending litigation opinion is issued, the court will ask the House whether it wishes to proceed with the request.
2. Does HB 112 violate any other provisions of the United States or the New Hampshire Constitution?
Historically, the court has declined general inquiries on constitutional infirmity and therefore respectfully asks to be excused from answering question two.

RECESS

(Speaker Jasper in the Chair)

Rep. Chandler moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 13

Wednesday, April 15, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. God of healing, we remember before You today the tragic events of the Boston marathon two years ago. We grieve for the lives cut short, the lives permanently altered by disability, and the lives poisoned by fear. We give You thanks for the courage and compassion shown by so many people on that day: the first responders, medics, police, race officials and many ordinary citizens who ignored the danger and did all they could to help. We give You thanks for the care and support that has continued through the weeks, months, and years of healing: for the doctors, surgeons, nurses, and therapists; for the families, friends, neighbors, and strangers; for the victims themselves who refused to give in; for all who have helped bring wholeness to injured bodies, minds and spirits. Eternal God, give us strength to deal with the assaults and horrors of an imperfect world; empower us to remain brave in the face of terrorist acts, to focus on the wonder of a humanity that will not be vanquished, a humanity that cares for those in need, and lifts up those who are downhearted. Teach us and use us, O God of hope, to heal ourselves and to restore Your world; for You created it and called it good. Amen.

Representative Catherine Cheney, member from Dover, led the Pledge of Allegiance.

Karen Liot Hill of Lebanon led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Comtois, Cote, DeSimone, Francese, Froburg, Gallagher, Phyllis Katsakiores, Russell Ober, Pantelakos, Phillips, Priestley, Russell, Sanders, Tholl and Wheeler, the day, illness.
Reps. Azarian, Beaudoin, Borden, Bradley, Andrew Christie, Flanders, Goulette, Halstead, Introne, Thomas Katsiantonis, Douglas Long, McClarren, Myler, Nelson, William O'Brien, Ohm, Rokas, Marjorie Smith, Stevens, Treleaven and White, the day, important business.
Reps. Rebecca Brown, DeLemus, LeBreche, Sanborn and Wright, the day, illness in the family.

INTRODUCTION OF GUESTS

Dennis Ruprecht Jr., and Joe D'Angelo, students at Woodsville High School, Pages for the day. Lynn Lucas, and Denise Mahr, guests of Rep. Cook. Richard Danforth, guest of Rep. Shaw. Zoe Hill, daughter of the singer, guest of Rep. Almy. Steven DiFranco, Fred and Louise Braman, Tony and Kathy Izgar, husband and guests of Rep. DiFranco. Fourth graders from Jaffrey School, guests of Reps. Ames, Ley, and Sterling.

COMMUNICATION

In a letter received on April 18, 2015

To whom it may concern,
I am sorry to say that do to the new work schedule, I would only be able to be in Concord every other month. Therefore I would not be able to dedicate the amount of time that is needed to properly represent my constituents of district 20 Seabrook/Hampton Falls. Therefore I will have to resign my position as NH State Representative.

Sincerely,
Representative Dennis Sweeney

The Speaker accepted the resignation, with regret.

MOTION TO VACATE

Rep. James Belanger moved that the House vacate the reference of **SB 30-FN-L,** permitting counties with unincorporated areas to establish tax increment financing districts, to the Committee on Municipal and County Government.
Motion adopted.

The Speaker referred **SB 30-FN-L** to the Committee on Finance.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis, removed by Rep. Kotowski.

Consent Calendar adopted.

SB 11, recodifying the Uniform Interstate Family Support Act. **OUGHT TO PASS.**

Rep. Debra L. DeSimone for Children and Family Law. This bill recodifies RSA 546-B based on the 2008 amendments to the Uniform Interstate Family Support Act. This bill is a request of the department of health and human services. The committee agreed that this bill positively enhances the ability of New Hampshire to remain consistent with other states and countries with child support and other family matters. Vote 12-0.

SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition. **OUGHT TO PASS.**

Rep. Daniel C. Itse for Children and Family Law. This bill clarifies two issues of law. First, it ensures that all parties to a divorce case have access to guardian ad litem reports and recommendations unless the court finds that this disclosure is not in the child's best interest. Second, it defines the date of submission of evidence in petitions regarding incapacity in probate court as the receipt if mailed, or the court's date stamp if hand-delivered. Vote 12-0.

SB 71, relative to the administration of glucagon injections for children in schools. **OUGHT TO PASS.**

Rep. John L. Balcom for Education. This bill allows glucagon injections to be provided by certain school employees. The bill further identifies storage, training, administration and liability issues associated with glucagon injections in schools. Vote 21-0.

SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M. Ladd for Education. This bill provides that if a home-schooled pupil enrolls at a high school and in a school board approved "academic" course that his or her attendance shall count as an additional 0.15 in the calculation formula for the school's ADMA for each academic course taken. As amended, the bill does not include an ADMA count calculation for a home-schooled student's participation in a co-curricular activity. Due to the self-contained nature of elementary classrooms and differing middle school/JHS instructional models, the committee believes that the additional ADMA count calculation is appropriate only in the high school grades where well-defined and approved/accredited academic courses are comparable and contribute to a high school diploma throughout the state. In summary, this bill provides ADMA funding to high schools for all enrolled students in relation to student attendance and offers choice and enrichment opportunity to home-schooled pupils. Vote 19-0.

Amendment (1263h)

Amend RSA 198:38, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a school board approved public high school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public high school. In this subparagraph, "public high school" shall have the same meaning as "high school" as defined in RSA 194:23.

Referred to the Committee on Finance.

SB 166, relative to facilitated individualized education program meetings. **OUGHT TO PASS.**

Rep. James L. Grenier for Education. Regular IEP team meetings are informal procedures and during these meetings actions or discussions leading to decisions are recorded. A facilitated IEP meeting has a trained facilitator assisting in meeting procedure. IDEA and RSA 186-C: 23 demand confidentiality and preclude record keeping during these meetings. This bill will remove facilitated IEP meetings from the list of formal alternative dispute resolution in RSA 186-C. If passed, these informal meetings will no longer be restricted as a formal alternate dispute resolution and will be given the flexibility to better serve the students, parents and facilitated IEP teams. Vote 21-0.

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions. **OUGHT TO PASS.**

Rep. Robert J. Elliott for Education. This bill permits post secondary institutions to establish guidelines for the administration of epinephrine by designated trainees, establishes requirements for the storage of epinephrine on campus and limits civil liability for certain individuals who administer an emergency injection of epinephrine. This is a medication for the toxic effects to individuals who are allergic to certain foods or insects, causing difficult breathing, sometimes be fatal. Vote 21-0.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph G. Boehm for Education. This bill establishes an Achieving a Better Life Experience Savings Account Program (ABLE) as established by an act by Congress in 2014. This is a savings program similar to a 529 plan, but contributions are not just for education, but for the helping individuals with disabilities throughout their life. This bill also establishes a commission that will adopt rules to ensure that the state's ABLE program complies with section 529A of the Internal Revenue Code. The federal ABLE Act amended Section 529 of the Internal Revenue Code to create tax-free savings accounts for individuals with disabilities. It aims to ease financial strains faced by individuals with disabilities by making tax-free savings accounts available to cover qualified expenses such as education, housing and transportation. This would supplement, but not supplant, benefits provided through private insurances, the supplemental security income program, the beneficiary's employment and other sources. An ABLE account could fund a variety of essential expenses for individuals, including medical and dental care, education, community based supports, employment training, assistive technology, housing and transportation. The ABLE Act provides individuals with disabilities the same types of flexible savings tools that all other Americans have through college savings accounts, health savings accounts and individual retirement accounts. There are no state monies used in this program. Vote 19-0.

Amendment (1222h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Achieving a Better Life Experience (ABLE) Savings Account Program. Amend RSA by inserting after chapter 195-I the following new chapter:

CHAPTER 195-J

ACHIEVING A BETTER LIFE EXPERIENCE (ABLE) SAVINGS ACCOUNT PROGRAM

195-J:1 Definitions. In this chapter:

I. "Achieving a Better Life Experience Act of 2014" means the federal Achieving a Better Life Experience (ABLE) Act of 2014 which allows individuals with disabilities to establish tax-free 529-A savings accounts to save for medical, housing, transportation, employment training, education and other quality of life expenses.

II. "Commission" means the New Hampshire Achieving a Better Life Experience (ABLE) savings account program advisory commission.

III. "Savings plan" means any plan administered as the New Hampshire ABLE savings account program.

195-J:2 Achieving a Better Life Experience (ABLE) Savings Account Program.

I. The commission shall establish, implement, and administer a qualified ABLE savings account program as established in the Achieving a Better Life Experience Act of 2014, in accordance with provisions of section 529A of the United States Internal Revenue Code of 1986, as amended, and may enter into such contracts as the commission deems necessary to achieve this purpose, subject to the approval of the governor and council.

II. The commission shall adopt rules relative to the administration, management, promotion, and marketing of the qualified ABLE program and ensure that the qualified ABLE program complies with section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the qualified ABLE program.

195-J:3 Advisory Commission Established; Reports.

I.(a) There is established the New Hampshire Achieving a Better Life Experience (ABLE) savings account program advisory commission which shall ensure the proper administration and management of the savings plan. The advisory commission shall ensure that the savings plan complies with the requirements of section 529A of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the savings plan. The commission shall consist of the following members:

(1) The state treasurer, or designee.

(2) One member of the house of representatives, appointed by the speaker of the house of representatives.

(3) One member of the senate, appointed by the senate president.

(4) The governor, or designee.

(5) The attorney general, or designee

(6) The commissioner of the department of health and human services, or designee,

(7) One public member, who shall have business experience, appointed by the governor.

(8) One member representing the Governor's Commission on Disability, appointed by the commission.

(9) One member of representing the New Hampshire Council on Developmental Disabilities, appointed by the council.

(10) One member representing Granite State Independent Living, appointed by Granite State Independent Living.

(11) One member representing the New Hampshire Bar Association, appointed by the association.

(b) Except for the members appointed under subparagraphs (a)(1)-(4), members shall be appointed for 2-year terms.

II. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate.

III. The commission shall keep written records of all its proceedings.

IV. No member of the commission shall have any personal interest in the gains or profits of any investment made by the commission; nor shall any member of the commission, directly or indirectly, for such member or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the commission; nor shall any member of the commission become an endorser or surety, or in any manner an obligor, for money loaned to or borrowed from the commission.

V. Members of the commission shall be held harmless from either criminal or civil liability for any decisions made or services rendered under the provisions of this chapter.

VI.(a) The state treasurer shall make quarterly reports regarding the status of the savings plan to the commission.

(b)(1) At least annually, the commission shall issue to each participant, a statement which shall include the participant's beginning balance, contributions, and earnings credited to their account during the previous fiscal year.

(2) At least annually, the commission shall make a report regarding the status of the savings program to each participant in the savings plan and to the state library.

195-J:4 ABLE Savings Plan.

I.(a) The commission shall, as needed, issue requests for proposals to evaluate and determine the vehicle for investments of the savings plan and its administration.

(b) The commission shall consider and, if appropriate, give preference to proposals best meeting the following criteria:

(1) Ability to administer financial programs with individual account maintenance and reporting.

(2) Ability to develop and administer an investment program of a nature similar to the objectives of the ABLE savings plan.

(3) Ability to augment the ABLE savings plan with other programs or informational services considered beneficial by the commission.

(c) The final selection of the vehicle for investments and its administration shall be made by the commission.

II. The commission shall determine and make recommendations regarding the use of personnel in the treasurer's office with costs for such administrative support to be funded from the savings plan.

III. The savings plan shall be on a "cash only" basis, and shall include provisions for automatic deductions.

IV. The savings plan shall be established in such form as shall be determined by the commission and may be established as a trust to be declared by the state treasurer. The savings plan or such trust may be divided into multiple investment portfolios. If so divided, and if distinct records are maintained for any such portfolio and the assets associated with any such portfolio are accounted

for separately from the other assets of the trust, then the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular portfolio shall be enforceable against the assets of such portfolio only, and not against the assets of the trust generally.

195-J:5 Funds Exempt From Interest and Dividends Tax. Income and distributions from any qualified ABLE program as defined in the Internal Revenue Code of 1986, as amended, shall be exempt from the interest and dividends tax pursuant to RSA 77:4-e, provided that distributions from the plan which are subject to federal income tax shall be subject to the interest and dividends tax pursuant to RSA 77 on the accrued income portion of the savings plan distribution.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes the New Hampshire Achieving a Better Life Experience (ABLE) savings account program.

Referred to the Committee on Finance.

SB 148, relative to the shellfish inspection program. **OUGHT TO PASS WITH AMENDMENT.** Rep. Stephen Darrow for Environment and Agriculture. This bill has been brought forward by request of the department of health and human services. The purpose of the bill is to bring New Hampshire statutes into compliance with federal regulations. Passage of the bill will enable New Hampshire commercial shellfish harvesters to do business with out of state customers. The amendment corrects a minor grammatical error. Vote 15-0.

Amendment (1226h)

Amend RSA 143:22 as inserted by section 1 of the bill by replacing it with the following:

143:22 Certificate Required; Labeling; Records. No person[~~, firm, or corporation~~] ***or facility*** shall [~~operate an establishment for the processing~~] ***process*** or [~~packing of~~] ***pack*** shellfish either shucked or in the shell until [~~he has been granted~~] a certificate ***has been granted*** by the department of health and human services. A certificate shall be issued to any [~~establishment~~] ***facility*** which has complied with the rules of the commissioner of the department of health and human services relative thereto. All certificates issued under this section shall expire on [~~December~~] ***March*** 31 next following the date of issuance. All containers of shellfish shall bear identification in accordance with rules adopted by the commissioner of the department of health and human services. An accurate daily record shall be kept by all [~~establishments~~] certified ***facilities*** listing the [~~names~~] ***name*** and [~~addresses~~] ***location*** of [~~all persons from whom lots of shellfish are received, the location of the source of each lot, and the names and addresses of all persons to whom lots are shipped or sold~~] ***the dealer, the date and time of the activity that the record reflects, the signature or initials of the person performing the operation, and the identity of the product and the production code.*** [~~Such~~] ***Processing and other information shall be entered on records at the time that it is observed. All*** records shall be [~~kept on file for 60 days and~~] ***retained at the facility for at least one year after the date the records were prepared in the case of refrigerated products and for at least 2 years after the date the records were prepared in the case of frozen products. Records that relate to the general adequacy of equipment or processes being used by a processor, including the results of scientific studies and evaluations shall be retained at the facility for at least 2 years after their applicability to the product being produced at the facility. All records*** shall be open to inspection [~~at any time during business hours~~] by agents of the department ***at any time***.

SB 21, relative to the board of mental health practice. **OUGHT TO PASS WITH AMENDMENT.** Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended by ED&A, sets the quorum requirement of the board at four members. The committee disagreed with the bill as amended by the senate, which had reduced the quorum requirement to three, which might have created a situation where the public members could have outnumbered the mental health practitioners present at a meeting of the board. Vote 13-0.

Amendment (0973h)

Amend the bill by replacing section 1 with the following:

1 Mental Health Practice; Board Quorum. Amend RSA 330-A:9, I to read as follows:

I. The board shall hold regular annual meetings. Other meetings of the board shall be held at such times and upon such notice as the rules of the board provide. [~~Five~~] ***Four*** members shall constitute a quorum.

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention. **OUGHT TO PASS.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill establishes a new education requirement of at least three hours biennially on suicide prevention for licensure renewal by the board of mental health. The committee heard testimony from a wide range of mental health providers, public safety officials and citizens whose families had been impacted by suicide that this is a serious mental health issue and that it is critically important for mental health professionals to be able to detect early warning signs. Members of the ED&A committee were in full agreement that this is a public policy issue worthy of addressing and the majority believes the inclusion of the education requirements on suicide prevention will help to address the matter. Vote 11-2.

SB 43, relative to the care and custody of female prisoners. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This is a house keeping bill that was requested by the department of corrections. This bill just changes the name from the state prison for women to the New Hampshire correctional facility for women. Vote 13-0.

SB 65, adding a judicial branch employee member to the deferred compensation commission. **OUGHT TO PASS.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill adds a nonclassified judicial branch employee with knowledge of defined contribution plans to the public employees deferred compensation commission. Vote 13-0.

SB 104-FN, relative to licensure of research organizations by the pharmacy board. **OUGHT TO PASS.**
Rep. Peter B. Schmidt for Executive Departments and Administration. This bill enables the further development of a high-tech research sector in NH by permitting, in this case, research into drug products, disease and drug diagnostics, and/or drug manufacturing technologies in our state, under the aegis of the NH pharmacy board. Necessary and appropriate definitions and restrictions are contained in the bill to allow the pharmacy board to exercise effective oversight and control, while also providing the opportunity for enhancing and expanding the NH economy. Vote 15-0.
Referred to the Committee on Ways and Means.

SB 161, relative to the wellness and primary prevention council. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill makes certain changes to the membership and duties of the wellness and primary prevention council, an entity created to address prevention and early intervention for at-risk youth and their families. The bill provides a mechanism for the council to develop standards of quality for participating family resource centers, the entities that provide direct service to at-risk youth and their families. These standards of quality will help to ensure uniformity in the provision of services by the family resource centers. The legislation also changes the composition of the council due to the fact that some of the original participating agencies are no longer in existence. Vote 12-2.

Amendment (1179h)

Amend the introductory paragraph of RSA 126-M:3, I as inserted by section 3 of the bill by replacing it with the following:

I. There is hereby established a wellness and primary prevention council which shall consist of 18 members as follows:

Amend RSA 126-M:4, II-a as inserted by section 5 of the bill by replacing it with the following:

II-a. Developing standards of quality to be met to receive the designation as a family resource center of quality. An advisory group shall assist the council in assessing compliance with the standards of quality. The advisory group shall consist of council members and professionals in delivery of services associated with family resource centers. Final decisions of compliance with the criteria set forth by the council and the designation of family resource centers of quality shall be made by the council, in conjunction with the department of health and human services.

SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill provides for certain changes to allow the executive branch ethics committee to more effectively fulfill its duties. First, it

allows the committee to accept and consider complaints filed against executive branch employees for up to 180 days after the day the official resigns, retires or otherwise leaves his/her position. Currently, once an employee separates from office the ethics committee is unable to pursue any complaint filed against him/her. In addition, the bill changes the requirement for a supermajority for some votes to a simple majority. This was necessitated by the fact that it is at times difficult to meet that threshold. The ED&A committee amendment adds an explicit quorum requirement for all votes taken by the committee. After hearing all of the evidence on this subject, ED&A unanimously recommends passage. Vote 13-0.

Amendment (1134h)

Amend the bill by replacing section 2 with the following:

2 Duties of the Executive Branch Ethics Committee. Amend RSA 21-G:30, II to read as follows:

II. ***A quorum of 4 members shall be required for all actions of the committee.*** All actions of the committee shall require an affirmative vote of 4 or more members of the committee before becoming effective, except that a vote to summarily dismiss a complaint shall be ***by*** unanimous ***vote of all members present***, and a vote [~~to dismiss a complaint after only an internal review and no investigation shall be by an affirmative vote of no less than 5 members of the committee and a vote~~] pursuant to RSA 21-G:31, VII shall require only a majority of the members present and voting. The committee shall request to meet with the legislative ethics committee established under RSA 14-B at least twice yearly to facilitate uniformity in the interpretation of statutory provisions.

SB 259-FN-L, relative to place of assembly licenses. **OUGHT TO PASS.**

Rep. Peter B. Schmidt for Executive Departments and Administration. This bill addresses a gap in the statutes with regard to places of assembly that come about seasonally when bodies of water freeze over, permitting people to gather out on the ice. The question of jurisdiction over such places of assembly required clarification, which this bill provides, namely, the commissioner of safety, or designee. Vote 13-0.

SB 70, relative to the processing of lobster tails. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Duarte for Fish and Game and Marine Resources. This is a good bill for local businessmen. The amendment includes the words "shell-on" to clarify lobster tails shall have shell attached. Vote 11-0.

Amendment (1206h)

Amend the bill by replacing sections 1-3 with the following:

1 Lobster; Legal Length. Amend RSA 211:27, I to read as follows:

I. No person may transport, buy, sell, give away, or expose for sale, or possess for any purpose, any lobster less than the minimum legal length alive or dead, cooked or uncooked, measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell. The minimum legal length shall be determined in rules adopted by the executive director under RSA 211:62. ***This paragraph shall not apply to uncooked shell-on lobster tails processed onshore in a New Hampshire facility permitted under RSA 211:38-a or a similar facility outside of New Hampshire.***

2 Mutilated Lobsters; Exception. Amend RSA 211:30 to read as follows:

211:30 Mutilated Lobsters. The possession of lobsters, or parts thereof, alive or dead, cooked or uncooked, mutilated in such manner as to make accurate measurements as prescribed in this chapter impossible, shall be prima facie evidence that they are not of required legal length. Provided that this section shall not apply to:

I. Hotels, restaurants, or individuals having in possession chopped lobster meat as provided in RSA 211:28 or lobster processed under a lobster tail permit in accordance with RSA 211:38-a.

II. Uncooked shell-on lobster tails processed outside of New Hampshire and offered for sale in this state.

3 Lobster Tail Permit; Processing. Amend RSA 211:38-a, I to read as follows:

I. Any person who is licensed to engage in the wholesale trade of marine species in accordance with RSA 211:49-c may engage in the processing of lobster tails after procuring from the executive director a lobster tail permit. The lobster tail permit authorizes the licensee to remove a lobster tail from a legal sized lobster, as defined in RSA 211:27, I and II, and process that ***shell-on*** whole and intact lobster tail. No lobster greater than the maximum legal length as described in RSA 211:27, III shall be used for lobster tail processing. Processing shall only be conducted at the one location or place of business which is listed on the lobster tail permit. All containers in which ***shell-on*** lobster tails are packed to be sold, shipped, or transported must be clearly labeled with the name, address, and permit number of the packer along with a description of the product. [~~The processing and possession of these lobster tails shall be permitted only for distribution outside New Hampshire.~~]

AMENDED ANALYSIS

This bill allows the processing of uncooked shell-on lobster tails for sale in New Hampshire.

SB 182, relative to the sale of freshwater fishing bait. **OUGHT TO PASS.**
Rep. Douglas B. Long for Fish and Game and Marine Resources. This bill allows the sale of aquatic invertebrates by licensed dealers. This would help prevent the spread of aquatic diseases, by dealers being mandated. Vote 12-0.

SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns. **OUGHT TO PASS.**
Rep. James A. Spillane for Fish and Game and Marine Resources. This bill is a very positive one, which invests in the future of hunting and fishing in the state while also allowing families to invest in the future of their children. Vote 11-0.

SB 222-FN, relative to harassment of hunting, fishing, or trapping. **OUGHT TO PASS.**
Rep. James C. Webb for Fish and Game and Marine Resources. The fish and game committee heard testimony that there are some problems related to hunters being harassed via banging of pan's and with today's technology, UAVs and drones my be used to harass hunters who have a right to be hunting where they are hunting and or fishing. Vote 12-0.

SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Mary C. Freitas for Health, Human Services and Elderly Affairs. As amended, this bill allows advanced psychiatric nurse practitioners the authority to request to the probate court that patients be admitted on a non-emergency involuntary hospitalization to a designated receiving facility. This bill also allows advanced psychiatric nurse practitioners the ability to petition the probate court that a guardian's ward be admitted to a state institution for treatment. Vote 19-0.

Amendment (1123h)

Amend the bill by replacing section 4 with the following:

4 Admission to State Institutions; Advanced Practice Registered Nurses Added. Amend RSA 464-A:25, I(a)(6) to read as follows:

(6) A guardian may not admit a ward to a state institution for more than 60 days for any single admission or more than 90 days in any 12-month period upon certification of a physician or psychiatrist, ***or an advanced practice registered nurse, as defined in RSA 135-C:2, II-a*** without filing a petition requesting approval of the probate court.

SB 49, relative to clinical eligibility determination for long-term care. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs. The bill allows skilled professional medical personnel employed by, or designated to act on behalf of the department to determine clinical eligibility. The clinical eligibility determination shall be based upon the assessment tool approved by the department, or by an individual with equivalent training designated by the department. The department shall train all persons performing the assessment to use the assessment tool. Vote 19-0.

Amendment (1185h)

Amend RSA 151-E:3, II as inserted by section 2 of the bill by replacing it with the following:

II. [~~A person is eligible for services under the medicaid waiver if the person has been determined clinically eligible under RSA 151-E:3, I(a), and financially eligible pursuant to rules adopted by the commissioner under RSA 541-A~~]. ***Skilled professional medical personnel employed by or designated to act on behalf of the department shall determine clinical eligibility in accordance with the criteria in subparagraph I(a). The clinical eligibility determination shall be based upon an assessment tool, approved by the department, performed by skilled professional medical personnel employed by the department, or by an individual with equivalent training designated by the department. The department shall train all persons performing the assessment to use the assessment tool. For the purposes of this section, "skilled professional medical personnel" shall have the same meaning as in 42 C.F.R., section 432.50(d)(1)(ii).***

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs. While the legislature has responded with statute to address infectious disease outbreaks in hospitals and other licensed health care facilities, recent events have highlighted possible gaps in infection control regulation, oversight and reporting in health care settings not currently licensed, or actively monitored by the department of health and human services. The focus of this time-limited commission would be to review and assess the existing framework of health care services across these delivery systems and to identify barriers to timely and effective response to, and prevention of infectious outbreaks. Vote 19-0.

Amendment (1227h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

Amend the bill by replacing sections 1 and 2 with the following:

1 Statement of Intent.

I. The general court recognizes that:

(a) New Hampshire is committed to improving patient safety and promoting better health care quality outcomes for its citizens.

(b) New Hampshire and its regulatory agencies are committed to working in partnership with health care providers across all health care delivery settings to identify improvement in the oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues.

II. Therefore, the general court hereby establishes a commission to study oversight, regulation, and reporting of patient safety concerns as it relates to infectious disease prevention and control issues to achieve a better understanding of the landscape of credentialing and regulatory oversight of independent or private, unlicensed and/or unaffiliated health care settings with a goal of better-informed policy decision making regarding patient safety concerns related to infectious disease control issues and a determination of the need for future remedial legislation. This commission is not intended to duplicate the work of the health care quality assurance commission under RSA 151-G but to work in collaboration regarding health care infectious disease prevention and control quality issues.

2 New Subdivision; Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues. Amend RSA 126-A by inserting after section 67 the following new subdivision:

Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues

126-A:68 Commission to Study Oversight, Regulation, and Reporting of Patient Safety and Infectious Disease Prevention and Control Issues Established.

I. There is established a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

II. The members of the commission shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The director of the division of public health services, department of health and human services, or designee.

(d) The bureau chief for the bureau of health facilities administration, department of health and human services, or designee.

(e) A representative of the New Hampshire board of dental examiners, appointed by the board.

(f) A representative of the New Hampshire board of medicine, appointed by the board.

(g) A representative from the New Hampshire board of nursing, appointed by the board.

(h) A representative from the New Hampshire board of pharmacy, appointed by the board.

(i) A representative from the New Hampshire board of podiatry, appointed by the board.

(j) A representative from the New Hampshire Foundation for Healthy Communities, appointed by the foundation.

(k) A representative from the New Hampshire Hospital Association, appointed by the association.

(l) A physician from the New Hampshire Medical Society, appointed by the society.

(m) A dentist from the New Hampshire Dental Society, appointed by the society.

(n) A representative from the New Hampshire Ambulatory Surgery Center Association, appointed by the association.

(o) A representative from the New Hampshire Infection Control and Epidemiology Professionals, appointed by that organization.

(p) A representative of a nursing home facility, appointed by the New Hampshire Health Care Association.

(q) Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the governor.

(r) An APRN, appointed by the New Hampshire Nurse Practitioner Association.

III. The commission shall be an administratively attached agency, under RSA 21-G:10, to the department of health and human services.

IV. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The commission's study shall include, but not be limited to:

(a) Conducting an assessment of the existing framework for the oversight, regulation, and reporting of patient safety concerns related to infectious disease prevention and control issues among health care delivery settings, focused on, but not limited to, private, unlicensed, and/or unaffiliated health care settings, to help coordinate response to any arising infectious disease prevention and control concerns.

(b) Evaluating credentialing and regulatory oversight to determine unforeseen or hidden gaps which may pose barriers to timely and effective public health response to infectious disease prevention and control concerns in health care settings.

(c) Reviewing coordination of interagency communication relating to any infectious disease prevention and control concern across health care delivery settings including, but not limited to, private, unlicensed, and/or unaffiliated health care settings.

(d) Discussing potential deficits and areas for improvement in the current framework of regulatory oversight with a goal to identify recommended solutions, both legislative and non-legislative.

VI. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 60 days of the effective date of this section. Eleven members of the commission shall constitute a quorum.

VII. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairperson of the health and human services oversight committee established under RSA 126-A:13, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

AMENDED ANALYSIS

This bill establishes a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.

This bill is a request of the department of health and human services.

SB 108-FN, relative to health care associated infections. **OUGHT TO PASS WITH AMENDMENT.** Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs. This bill clarifies that any hospital pursuant to RSA 151:22 shall maintain a program capable of identifying and tracking infections for the purpose of reporting statistics. The bill adds end-stage renal dialysis centers, nursing and other residential care facilities and assisted living facilities and ambulatory surgical facilities as required. Vote 17-0.

Amendment (1223h)

Amend the bill by replacing all after the enacting clause with the following:

1 Health Care Associated Infections; Facilities Added. Amend RSA 151:33 through RSA 151:35 to read as follows:

151:33 Hospitals, ***End-Stage Renal Dialysis Centers, Nursing and Other Residential Care Facilities, Assisted Living Residences,*** and Ambulatory Surgical Facilities Required to Report.

I. Any hospital licensed pursuant to this chapter shall maintain a program capable of identifying and tracking infections for the purpose of reporting under this section. ***Nothing in this section shall be construed to mandate or require influenza vaccination for health care personnel and patients/residents.*** Such program shall have the capacity to identify the following elements:

(a) The specific infectious agents or toxins and site of each infection;

(b) The clinical department or unit within the facility where the patient first became infected or was first diagnosed; and

(c) The patient's diagnoses at time of admission and any relevant specific surgical, medical, or diagnostic procedure performed during the current admission.

II.(a) Hospitals shall initially identify, track, and report infections to include:

(1) Central line related bloodstream infections;

(2) [~~Ventilator associated pneumonia~~] ***Catheter associated urinary tract infections***; and

(3) Surgical wound infections.

(b) Hospitals shall also initially identify, track, and report process measures including:

(1) Adherence rates of central line insertion practices;

(2) Surgical antimicrobial prophylaxis; and

(3) Coverage rates of influenza vaccination for health care personnel and patients/residents.

II-a. Any ambulatory surgical facility licensed pursuant to this chapter shall maintain a program capable of identifying and tracing infections for the purpose of reporting under this section. Such program shall have the capacity to identify the following elements:

(a) Surgical wound infections.

(b) Surgical antimicrobial prophylaxis.

(c) Coverage rates of influenza vaccination for health care personnel.

II-b. Any end-stage renal dialysis center licensed pursuant to this chapter shall maintain a program capable of identifying and tracking infections for the purpose of reporting under this section. Such program shall have the capacity to identify the following elements:

(a) Positive blood culture.

(b) Vascular access site infection.

(c) Intravenous antimicrobial start time.

(d) Coverage rates of influenza vaccination for health care personnel.

II-c. Any nursing and residential care facility licensed pursuant to this chapter, or any assisted living residence licensed under RSA 161-J shall maintain a program capable of identifying and tracking the coverage rates of influenza vaccination for health care personnel and patients/residents.

III. Subsequent to the initial requirements identified in [~~paragraph~~] ***paragraphs*** II, ***II-a, or II-b,*** the department shall, from time to time, require the tracking and reporting of other types of infections[~~, including urinary tract infections~~] when reporting protocols are identified by the department, that occur in hospitals, ***end-stage renal dialysis centers,*** and ambulatory surgical facilities in consultation with technical advisors who are regionally or nationally-recognized experts in the prevention, identification, and control of [~~hospital~~] ***health care associated*** infections and the reporting of performance data. [~~The department shall make progress reports every 6 months to the oversight committee on health and human services, established in RSA 126-A:13, concerning the development of reporting protocols for tracking of urinary tract infections and shall notify the oversight committee on health and human services when the tracking of urinary tract infections has commenced.~~]

IV. The commissioner of the department shall adopt rules, pursuant to RSA 541-A, for hospital, ***end-stage renal dialysis center, nursing and residential care facility, assisted living residence,*** and ambulatory surgical facility identification, tracking, and reporting of infections ***and/or coverage rates of influenza vaccinations as required in this section*** which shall be consistent with the recommendations of recognized centers of expertise in the identification and prevention of infections including, but not limited to the National Health Care Safety Network and the Healthcare Infection Control Practices Advisory Committee of the Centers for Disease Control and Prevention or its successor, the Joint Commission on the Accreditation of Healthcare Organizations, the Centers for Medicare and Medicaid Services, the Hospital Quality Alliance, the National Quality Forum, and the New Hampshire health care quality assurance commission under RSA 151-G.

V. Each hospital, ***end-stage renal dialysis center, nursing and residential care facility, assisted living residence,*** and ambulatory surgical facility shall regularly report to the department hospital, ***end-stage renal dialysis center, nursing and residential care facility, assisted living residence,*** and ambulatory surgical facility acquired infections and the infection data it has collected ***and/or coverage rates of influenza vaccinations as required in this section***. Such reporting shall be done in the manner directed by the department in accordance with rules adopted pursuant to RSA 541-A. The commissioner shall establish data collection and analytical methodologies that meet accepted

standards for validity and reliability. In no case shall the frequency of reporting be required to be more frequently than once every 3 months, and reports shall be submitted not more than 60 days after the close of the reporting period.

151:34 Statewide Database Required.

I. The department shall [~~establish~~] ***maintain*** a statewide database of all reported infection information ***and/or coverage rates of influenza vaccinations as required in RSA 151:33*** for the purpose of monitoring quality improvement and infection control activities in hospitals, ***end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities. The database shall be organized so that consumers, hospitals, ***end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** ambulatory surgical facilities, health care professionals, purchasers, and payers may compare individual hospital, ***end-stage renal dialysis center, nursing and other residential care facility, assisted living residence,*** and ambulatory surgical facility experience with that of other individual hospitals, ***end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities as well as regional and statewide averages and, where available, national data.

II.(a) Subject to subparagraph [~~(c)~~] ***(b)***, on or before August 1 of each year, provided that the data collection and analytical methodologies meet accepted standards for validity and reliability, the commissioner shall report on the department's web site infection rates [~~both exclusive and inclusive of adjustments for potential differences in risk factors~~] for each reporting hospital, ***end-stage renal dialysis center, nursing and other residential care facility, assisted living facility,*** and ambulatory surgical facility, an analysis of trends in the prevention and control of infection rates ***and coverage rates of influenza vaccinations as required in RSA 151:33*** in hospitals, ***end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities across the state, regional and, if available, national comparisons for the purpose of comparing individual hospital, ***end-stage renal dialysis center, nursing and other residential care facility, assisted living facility,*** and ambulatory surgical facility performance, and a narrative describing lessons for safety and quality improvement that can be learned from leadership hospitals and programs.

[~~(b) The commissioner shall consult with technical advisors who have regionally or nationally acknowledged expertise in the prevention and control of infections and infectious diseases in order to develop the adjustment for potential differences in risk factors to be used for public reporting.~~

~~(c)(1)~~] ***(b)*** [~~Within 180 days of the effective date of this section, the~~] ***The*** department shall [~~establish~~] ***maintain*** an infection reporting system capable of receiving electronically transmitted reports from hospitals, ***end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** and ambulatory surgical facilities. [~~Whether or not the department has established such a reporting system, hospitals,~~] ***End-stage renal dialysis centers, nursing and other residential care facilities, and assisted living residences***[~~, and ambulatory surgical facilities~~] shall begin to submit reports as required by this section within 6 months of the effective date of this section.

[~~(2) The first 6 months of data submission under this section shall be considered the "pilot phase" of the statewide infection reporting system. The purpose of the pilot phase is to ensure, by various means, the completeness and accuracy of infection reporting by hospitals.~~

~~(3) No later than 60 days after the conclusion of the pilot phase, the commissioner shall issue a report to hospitals and to the oversight committee on health and human services assessing the overall accuracy of the data submitted in the pilot phase and provide guidance for improving the accuracy of infection reporting.~~

~~(4) After the pilot phase is completed, all data submitted under this section and compiled in the statewide infection database established under this section and all public reports derived therefrom shall include hospital and ambulatory surgical facility identifiers.~~

~~(5) The first public report required pursuant to subparagraph (4) shall be made not later than 7 months after the completion date of the pilot phase.~~]

III. To assure the accuracy of the self-reported hospital, ***end-stage renal dialysis center,*** and ambulatory surgical facility infection data and to assure that public reporting fairly reflects what actually is occurring in each hospital, ***end-stage renal dialysis center,*** and ambulatory surgical facility, the department shall [~~make a quarterly report to the oversight committee on health and human services on its infection rate data. If the commissioner is not satisfied with the overall accuracy of the data submitted, the commissioner shall~~] validate the results and the methodology used to collect

and analyze the data. [~~The commissioner shall notify the oversight committee on health and human services relative to the validation of such data. After notification to the oversight committee, the commissioner may release such information to the public.~~] If[~~, however,~~] the commissioner concludes that he or she is unable to adequately validate the data, the commissioner shall notify the oversight committee on health and human services of that fact and the reasons therefor and, in that case, the commissioner shall not be required to include hospital***, end-stage renal dialysis center, nursing and other residential care facility, assisted living residence,*** and ambulatory surgical facility identifiers in the information released to the public.

IV. In addition to the department's reporting responsibilities under this section, the department shall beginning in 2012 make a biennial report to the oversight committee on health and human services and the house and senate ways and means committees on or before August 1, regarding the health care associated infections program costs, the amount of federal funding received for the program, and the amount of fees paid by hospitals***, end-stage renal dialysis centers,*** and ambulatory surgical centers to support the program.

151:35 Limitation. Notwithstanding any provision of law to the contrary, hospitals***, end-stage renal dialysis centers, nursing and other residential care facilities, assisted living residences,*** or ambulatory surgical facilities may provide, and the department may collect under this subdivision, any data or patient identifiers as set forth in the protocols and specifications published and periodically amended by the National Healthcare Safety Network; provided that an individual patient's name, street address, city or town, telephone number, and social security number shall not be included in any data collected.

2 Health Care Associated Infections; Payments. Amend the section heading and paragraph I of RSA 151:36 to read as follows:

151:36 Payment by Hospitals***, End-Stage Renal Dialysis Centers,*** and Ambulatory Surgical Centers.

I. The department shall assess a fee to hospitals***, end-stage renal dialysis centers,*** and ambulatory surgical centers that are required to report under RSA 151:33 to support the program's approved operating budget.

(a) The hospitals' portion shall be proportional to the number of measures reported by all hospitals in the state.

(b) The ambulatory surgical centers' portion shall be proportional to the total number of measures reported by ambulatory surgical centers in the state.

(c) The end-stage renal dialysis centers' portion shall be proportional to the total number of measures reported by end-stage renal dialysis centers in the state.

3 New Paragraph; Heath Care Associated Infections. Amend RSA 151:36 by inserting after paragraph III the following new paragraph:

III-a. There shall be proportional fee categories based on the range of patient visits annually at an end-stage renal dialysis center, which shall equal the total amount of payment that is required by all end-stage renal dialysis centers. Of that base amount as stated in subparagraph I(c), each end-stage renal dialysis center required to report shall pay a fee based on the appropriate category for that end-stage renal dialysis center.

4 Health Care Associated Infections. Amend RSA 151:36, V to read as follows:

V. There is hereby established the health care associated infections fund. The fund shall be composed of fees collected in accordance with RSA 151:36, I-[~~III~~] ***III-a*** and shall be used to carry out the provisions of this subdivision. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this subdivision.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill makes certain changes to the law governing the reporting of health care associated infections.

This bill is a request of the department of health and human services.

SB 133-FN, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department. **OUGHT TO PASS WITH AMENDMENT.** Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs. This bill, as amended, improves the public use database file of health insurance and workers compensation medical claims in New Hampshire for the purpose of health care cost transparency while respecting HIPPA and patient privacy concerns. Vote 16-0.

Amendment (1192h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Development of a Comprehensive Health Care Information System. Amend RSA 420-G:11-a by inserting after paragraph II the following new paragraph:

III. The department shall make available to the public a public use data set for purposes of facilitating transparency in health care costs.

2 New Section; Advisory Organizations; Required Activity. Amend RSA 412 by inserting after section 37-a the following new section:

412:37-b Advisory Organizations; Required Activity. The commissioner shall consult with workers' compensation advisory organizations, workers' compensation carriers, and third party administrators or self-insureds regarding the most effective options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system, as defined under RSA 420-G:11-a. The commissioner shall make a report with recommendations on options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system on or before December 1, 2015 to the speaker of the house of representatives, the president of the senate, the governor. and the chairpersons of the house and senate committees having jurisdiction over health and human services.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the insurance commissioner to consult with certain groups and organizations and to make a report by December 2015 to the legislature and the governor with recommendations on options for including workers' compensation data in the New Hampshire comprehensive health information system.

Referred to the Committee on Labor, Industrial and Rehabilitative Services.

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. **OUGHT TO PASS.** Rep. Lucy M. Weber for Health, Human Services and Elderly Affairs. This bill arises out of an initiative by the American Association of Retired Persons to encourage better aftercare for a hospital patient following their discharge. The bill requires that the patient be given an opportunity to identify a designated caregiver prior to discharge. If the patient chooses to designate a caregiver, the hospital will: 1.) let the caregiver know of the designation; 2.) notify the caregiver of the intent to discharge and the discharge plan; and 3.) shall give the caregiver instruction about all the aftercare needs in the discharge plan. The goal is to ensure better aftercare and fewer re-hospitalizations. Care has been taken to preserve the autonomy of all concerned. The bill was supported by the NH Hospital Association as it clarifies and promotes uniformity as to discharge procedures. Vote 17-0.

SB 200-FN, relative to newborn screening for Krabbe Leukodystrophy. **INEXPEDIENT TO LEGISLATE.**

Rep. Joanne A. Ward for Health, Human Services and Elderly Affairs. Krabbe Leukodystrophy is a terrible genetic disease which is terminal, even if diagnosed and treated. The proposed test for this disease has many false positives. These infants are subjected to lumbar punctures and the agony of waiting for a diagnosis that may never come. In New York over 2 million babies have been tested since 2006 and only 5 were treated, but did not survive. To quote Dr. Harvey Levy of Harvard, "New Hampshire has very wisely established by statute RSA 132:10a the newborn screening advisory committee to consider additions to newborn screening. Every proposed addition until now has been considered by this committee in the light of medical, scientific and ethical evidence for the best interests of the citizens of New Hampshire. The newborn screening advisory committee, after such consideration, would then present its recommendations and the evidence for it to the commissioner of the department of health and human services. I would hope that the legislature would see fit to follow this procedure for the proposed addition of krabbe disease." Vote 17-2.

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B. **OUGHT TO PASS.**

Rep. Joseph M. Hagan for Judiciary. RSA 168-B passed last biennium clarified and confirmed the parental rights of intended parent(s) resulting from assisted reproduction and that the gestational carrier has no parental rights when all parties participate in gestational carrier agreements. Unfortunately, jurisdiction was assigned to the superior and the probate court. This bill would give exclusive jurisdiction to the probate court where the expertise for such matters reside. Vote 16-0.

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank H. Heffron for Judiciary. This bill makes several technical corrections to the laws relative to the judicial council, which, among other things, provides general information and makes recommendations to the general court and the judicial system on matters pertaining to the administration of justice and administers the indigent defense delivery system. The bill makes some changes concerning membership of the council; for example, the number of members appointed by the judicial branch administrative council is reduced from 5 to 4. It makes changes in terminology to reflect current practice, e.g., the current statute refers to the judiciary and family law committee, and this bill changes that to judiciary committee. The bill also provides that the council shall provide legal and guardian ad litem services in child protection cases, which it has in fact been doing for some time. Another overdue change is the repeal of RSA 604-A:5, limiting the compensation of appointed counsel. It contained limits so low that the supreme court ruled it unconstitutional several years ago. The changes in this bill are recommended by the council as the result of a performance audit by the legislative budget assistant and received solid bipartisan support in the judiciary committee. Vote 16-1.

Amendment (1242h)

Amend RSA 494:2 as inserted by section 2 of the bill by replacing it with the following:

494:2 Appointment and Tenure of Office. The term of each member except the members of the judicial branch administrative council, the attorney general, the president-elect of the New Hampshire Bar Association, and the chairpersons of the senate judiciary committee and the house judiciary [~~and family law~~] committee shall be for 3 years and until a successor is appointed and qualified. Vacancies shall be filled for the remainder of the term in the same manner and from the same group as the original appointment. Each member of the judicial branch administrative council, the attorney general, the president-elect of the New Hampshire Bar Association, and the chairpersons of the senate judiciary and house judiciary [~~and family law~~] committees shall be ex officio members and shall serve during their term of office.

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law. **OUGHT TO PASS.**
Rep. Mark McLean for Judiciary. This bill amends RSA 91-A:3, II(g) to take the right currently held by county corrections departments to hold nonpublic sessions when considering security related issues, and extends it to the state level. The law offers no additional provisions and only serves to make procedures at the state and county level more uniform. Vote 18-0.

SB 91, relative to appointment of counsel for indigent defendants. **OUGHT TO PASS.**
Rep. Claire A. Rouillard for Judiciary. This is a minor technical change to RSA 604-A:2, which provides counsel to indigent defendants charged with a felony or a class A misdemeanor. The current statute incorrectly states the appointment of counsel, after review of financial affidavit, could be made by the "Commissioner of Administrative Services," which is the executive branch. Review of financial affidavits and appointment of counsel is and should be performed by the "court" or the judicial branch. SB 91 makes that correction. Vote 18-0.

SB 94, relative to documents filed electronically with a court under oath. **OUGHT TO PASS.**
Rep. Kurt F. Wuelper for Judiciary. This bill defines the words "under oath" for use in electronically filing court documents. The committee recognized the common use of electronic signatures for all kinds of government purposes and believes that letting people know they are signing "under penalty of perjury" provides adequate certification of their identity. Vote 15-0.

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Franklin W. Sterling for Municipal and County Government. The purpose of this bill as amended is to establish a commission on historic burial grounds. The commission is charged with documenting burial grounds, establishing a state historic register of historic burial grounds, reviewing current statutes on the protection of property owners and surrounding properties. The commission shall report it's findings and recommendations on or before November 1, 2016. Vote 15-0.

Amendment (1129h)

Amend RSA 227-C:12-a as inserted by section 1 of the bill by inserting after subparagraph II(n) the following new subparagraph:

(o) The Roman Catholic bishop of Manchester, or designee.

Amend RSA 227-C:12-a, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The commission shall file interim reports of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015, November 1, 2016, and November 1, 2017, and a final report on or before November 1, 2018.

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill also establishes the commission on historic burial grounds and cemeteries.

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers. **OUGHT TO PASS.**

Rep. Catherine Cheney for Municipal and County Government. This bill fixes a possible unintended loophole in the collection of taxes by an alternative treatment center for therapeutic cannabis under RSA 72:23. It was and is the intent that these properties would pay taxes and SB 54 will ensure that the treatment centers shall make payments in lieu of property taxes in the same amount that the land and buildings would have been subject to if they were owned by a non-exempt owner. These centers were placed under the tax exempt statutes only to allow the attorney general's office oversight. This bill corrected the unintended consequence that they would be tax exempt. Vote 15-0.

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James P. Belanger for Municipal and County Government. This bill allows governing bodies to adopt zoning ordinances, without legislative body approval, for managing storm water to meet federal standards. As amended, the bill requires a non binding advisory review of the project by the municipality's planning and zoning boards. This review will provide some expertise from those two boards that may not be available by the governing body members and could influence the resultant project to more closely conform to a municipality's existing ordinances. Vote 15-0.

Amendment (1118h)

Amend RSA 149-I:6, I-a as inserted by section 1 of the bill by replacing it with the following:

I-a. In municipalities where stormwater is collected and discharged, the mayor and aldermen or town governing body may, with the advice of the planning board and the zoning board of adjustment, adopt such ordinances and bylaws as are required for the proper maintenance and operation of the stormwater system or stormwater utility and any appurtenant structures, and to promote flood control and erosion control, water quality management, ecological preservation, management of annual pollutant load contained in stormwater discharge, and municipal compliance with applicable state and federal stormwater laws and regulations.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Duties of the Planning Board. Amend RSA 674:1, II to read as follows:

II. The planning board may:

(a) From time to time report and recommend to the appropriate public officials and public agencies programs for the development of the municipality, programs for the erection of public structures, and programs for municipal improvements. Each program shall include recommendations for its financing. It shall be part of the planning board's duties to consult with and advise public officials and agencies, public utility companies, ***and*** civic, educational, professional, research, and other organizations, and to consult with citizens, for the purposes of protecting or carrying out of the master plan as well as for making recommendations relating to the development of the municipality.

(b) Advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a comply with the master plan.

3 Powers of Zoning Board of Adjustment. Amend RSA 674:33, I to read as follows:

I. The zoning board of adjustment shall have the power to:

(a) Hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16[~~, and~~].

(b) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:

(1) The variance will not be contrary to the public interest;

(2) The spirit of the ordinance is observed;

(3) Substantial justice is done;

(4) The values of surrounding properties are not diminished; and

(5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

(A) For purposes of this subparagraph, "unnecessary hardship'' means that, owing to special conditions of the property that distinguish it from other properties in the area:

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

(ii) The proposed use is a reasonable one.

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. The definition of "unnecessary hardship'' set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

(c) Advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a comply with zoning ordinances.

AMENDED ANALYSIS

This bill authorizes municipalities to regulate stormwater in order to comply with federal and state laws and regulations.

This bill also authorizes planning boards and zoning boards of adjustment to advise governing bodies as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems comply with the master plan and zoning ordinances, respectively.

SB 98, relative to third party review required by the planning board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Catherine Cheney for Municipal and County Government. This bill, as amended, allows an applicant to request a different third party consultant to review plans. The applicant pays the consultants chosen by the planning board out of their own pocket anyway. The committee recognized that developers might want to bring in their own party. SB 98, as amended, would allow the applicant to bring a preferred consultant's name forward for consideration by the planning board even though the final selection is at the sole discretion of the planning board. The planning board retains the authority to exercise reasonable discretion on whether or not to accept the alternate firm. This is a win-win for both the planning board and the developer. Vote 15-0.

Amendment (1113h)

Amend the bill by replacing section 1 with the following:

1 Third Party Review. Amend RSA 676:4-b, I to read as follows:

I. A planning board reviewing a subdivision plat, site plan, or other land use application may require the applicant to reimburse the board for expenses reasonably incurred by obtaining third party review and consultation during the review process, provided that the review and consultation does not substantially replicate a review and consultation obtained by the zoning board of adjustment. ***The applicant may request the planning board choose a different third party consultant and the request may include the name of a preferred consultant. The planning board shall exercise reasonable discretion to determine whether the request is warranted. When such a request is granted by the planning board, the 65-day period for the board's action on an application stated in RSA 676:4, I(c)(1) shall be extended 45 days to provide the board adequate time to identify a different consultant.***

SB 143, relative to defining phased development. **OUGHT TO PASS.**
Rep. James E. Coffey for Municipal and County Government. This bill defines the term "phased development" which will be helpful to both planning boards and their applicants. Although the term is referred to in other statutes it has never been defined. The unanimous vote came after a very thorough debate and discussion. Vote 15-0.

SB 38, establishing a commission to develop a land conservation plan. **OUGHT TO PASS WITH AMENDMENT.**
Rep. James W. McConnell for Resources, Recreation and Development. This bill establishes a commission to review, coordinate and prioritize the state's numerous conservation efforts and make recommendations for proposed legislation implementing the commission's conservation goals. Since 1990, no fewer than 11 legislative committees have documented in detail the need to protect New Hampshire's lands and natural resources. The amendment reduces the number of commission members from an unwieldy twenty one to a more manageable and efficient eleven. Vote 19-0.

Amendment (1239h)

Amend RSA 162-C:12, I(a)-(m) as inserted by section 1 of the bill by replacing it with the following:

(a) One member of the senate, appointed by the president of the senate.

(b) One member of the resources, recreation and development committee of the house of representatives, appointed by the speaker.

(c) One member from the New Hampshire Association of Conservation Commissions to represent municipal conservation interests, appointed by that association.

(d) Three representatives of statewide or regional conservation organizations, appointed by the governor.

(e) One person representing business and industry, appointed by the Business and Industry Association.

(f) One person representing hunting, fishing, and other outdoor recreation, appointed by the fish and game commission.

(g) One person representing real estate interests, appointed by the New Hampshire Association of Realtors.

(h) One member of the New Hampshire Farm Bureau, appointed by the that organization.

(i) One person representing the forest products industry, appointed by the New Hampshire Timberland Owners Association.

Amend RSA 162-C:12, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Solicit input from the public, non-profit organizations, the land and community heritage investment program, regional planning commissions, the university of New Hampshire cooperative extension service, businesses and other stakeholders, and from representatives of land conservation initiatives in other states.

SB 80, relative to the state trails plan and establishing a committee on rail trails. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Carolyn L. Matthews for Resources, Recreation and Development. A committee of one member of the senate and two members of the house of representatives will solicit testimony from several organizations, the bureau of trails, department of resources and economic development and department of transportation. An earlier study left questions unanswered about usage for railroad beds, immunity laws, inclusion of additional rail trails and policies that govern how rail trails are to be converted and how that process can be made easier for volunteer groups. The committee agrees that further study is needed and to allow the committee to solicit additional testimony and to include a representative from the freight railroad industry. Vote 19-0.

Amendment (1217h)

Amend paragraph III of section 2 of the bill by replacing it with the following:

III. Members of the committee shall solicit testimony from, but not limited to, the following:

(a) Londonderry Trailways.

(b) Windham Rail Trails.

(c) The Mascoma River Greenway Coalition.

(d) The New Hampshire Railroad Revitalization Association.

(e) The New Hampshire Horse Council.

(f) The New Hampshire Off Highway Vehicle Association (NHOHVA).

(g) The chief supervisor of the bureau of trails, department of resources and economic development, or designee.

(h) Representatives of the department of transportation.

(i) A representative from the freight railroad industry.

SB 168, relative to the duties of the commissioner of the department of environmental services. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Resources, Recreation and Development. This bill grants the DES commissioner, along with the fish & game director, authority to recommend leases of some areas of Great Bay, to be used for shellfish restoration. Oysters are extremely efficient in cleaning the water in estuaries such as Great Bay, but over the last 40 years, 90% of the previous stock was killed off by pollution, harvesting, and disease. The Nature Conservancy, and other environmental groups, want to spend a few million dollars to restore some of these oyster beds. They want to ensure that harvesters don't raid the beds before they are self-supporting and to do that, a long-term lease of the areas involved is appropriate. Current law does not establish who can recommend a lease for approval by governor and council, so SB 168 defines the authority to do so. No fees for the leases are authorized, because cleaning the water is in the state's interest. Vote 19-0.

SB 172, relative to the size limitations of off highway recreational vehicles. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. In New Hampshire off highway recreational vehicles (OHRV) are regulated by width and weight. Currently, there is a 62" limit on most state trails. In Jericho Mountain State Park, the limit is 65" which is common in the industry and in many other states. This bill standardizes the width limit at 65" for all state trails. It was noted that the wider, heavier vehicles do not cause more damage than smaller vehicles, and that they provide side by side seating. This enhances safety and gives access to disabled individuals who cannot ride straddle seat type OHRVs. Vote 17-2.

SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Resources, Recreation and Development. The club assistance program for snowmobiles provides a cost effective way for the enthusiasts and riders to build and maintain the trails, on a mostly volunteer basis. Some registration fees are used to provide materials and other grants to the clubs, and club members (93% of snowmobile riders) pay a reduced registration fee in recognition of their efforts. SB 173 creates a study committee to consider a similar program for OHRVs. There are only about 20 OHRV clubs in the state right now, and they are responsible for much of the trail maintenance. Creating a club assistance program on the snowmobile club model would provide a way for the users to contribute more effectively to trail creation and maintenance. Vote 17-0.

SB 117-FN-L, relative to energy security and diversity. **INEXPEDIENT TO LEGISLATE.**

Rep. Herbert R. Vadney for Science, Technology and Energy. After years of discussion we are in the final stages of completing divestiture whereby power distribution companies will be prohibited from owning and operating generation facilities. SB 117 would reverse that for solar power and make it much easier for power supply traders to own generation facilities, a position which flies in the face of divestiture. These companies which now simply arrange power purchases from actual power generators would, if SB 117 passes, begin buying, installing, and owning solar systems that would soon need repairs, spare parts, and general maintenance, and would require these independent "traders" to operate hardware infrastructure which they currently don't do. This is counter to the reasons divestiture has been pursued. Additionally, there seems to be little or no consideration of how large this could grow, how much it could impact electricity rates, or how that much distributed power could be integrated into the grid. This proposed bill would also investigate the costs and benefits of net-metered renewable resources, and authorize an option for local property tax exemptions for geothermal energy systems, both issues that would benefit by being stand-alone issues rather than being bundled with utility level solar power. From the fiscal note: Without details on the financial arrangements and generation quantity, the fiscal impact for state, county and local governments is indeterminate. The overall impact on state expenditures is indeterminable but the (PU) commission estimates consulting service costs will be $200,000. Vote 18-2.

REGULAR CALENDAR

SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students. **OUGHT TO PASS.**

Rep. Mary Heath for Education. This bill establishes a commission to study social impact bond funding for early childhood education for at-risk students. The commission shall report findings on or before June 1, 2016. State funds are not required for this bill. Vote 15-6.

Rep. Heath spoke in favor and yielded to questions.

Rep. Boehm spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 168

YEAS - 164

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Parker, Harold	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Hatch, William	Thomas, Yvonne		

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Brown, Pamela
Cohen, Alan	Cornell, Patricia	DiSilvestro, Linda	Edwards, Elizabeth
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Guerette, C. Lee
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Infantine, William	Jack, Martin	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McCarthy, Peggy	McNamara, Richard	O'Brien, Michael
O'Neil, William	Palmer, Barry	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Takesian, Charlene	Ulery, Jordan
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kotowski, Frank	Luneau, David	MacKay, James
Moffett, Howard	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane		

ROCKINGHAM

Barnes, Arthur	Berrien, Skip	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Devine, James	DiFranco, Debbie	Gordon, Pamela

Heffron, Frank
Hoelzel, Kathleen
Lovejoy, Patricia
Major, Norman
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
Packard, Sherman
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Webb, James

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Knowles, Robert
Rollo, Deanna
Southworth, Thomas
Spang, Judith
Sprague, Dale
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Rollins, Skip
Smith, Steven

NAYS - 168

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fraser, Valerie
Howard, Jr., Raymond
Hurt, George
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John
McConnell, Jim
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert

GRAFTON

Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gould, Linda
Griffin, Barbara
Hansen, Peter
Hogan, Edith
Hopper, Gary
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
Ober, Lynne
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Twombly, Timothy

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Bates, David	Belanger, Ronald	Bush, Carol	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Cook, Allen	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Friel, William	Gannon, William	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Kolodziej, Walter	Manning, John	Matthews, Carolyn	Milz, David
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Cheney, Catherine	Gray, James	Groen, Warren	Hannon, Joseph
Jones, Laura	Kaczynski, Jr., Thomas	Leeman, Don	Mullen, John
Parsons, Robbie	Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest	Laware, Thomas	Schmidt, Andrew

and the committee report failed.

Rep. Boehm moved Inexpedient to Legislate.

On a division vote, 186 members having voted in the affirmative and 146 in the negative, the motion was adopted.

SB 101, prohibiting the state from requiring implementation of common core standards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. Common core has been a divisive and confusing issue for local districts and in the state. This bill states clearly that the common core standards are not required to be implemented in any school district. Vote 11-9.

Rep. Barbara E. Shaw for the Minority of Education. No law in New Hampshire requires school districts to adopt the common core standards, nor has it been mandated by the department of education. Therefore, SB 101 is unnecessary. Common core meaningfully addresses the problem of low expectations in our schools and equalizes learning opportunity. The curriculum may have a different focus at some grade levels, but districts have found it aligns very well with NH career and college ready standards already in place. Much of common core is based on analysis and application of knowledge. This thinking process is a valuable tool for 21st century learning and beyond.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Shaw spoke against and yielded to questions.

Rep. Cordelli spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 138

YEAS - 202

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Parker, Harold
Umberger, Karen			

CHESHIRE

Emerson, Susan
Hunt, John
McConnell, Jim
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Griffin, Barbara
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
Ober, Lynne
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Patten, Dick
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest | Laware, Thomas | Rollins, Skip | Smith, Steven

NAYS - 138

CARROLL

Buco, Thomas | Butler, Edward | Ticehurst, Susan

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Bordenet, John
Chase, Cynthia | Eaton, Daniel | Johnsen, Gladys | Ley, Douglas
Mann, John | Parkhurst, Henry | Pearson, William | Robertson, Timothy
Sad, Tara | Shepardson, Marjorie | Tatro, Bruce | Weber, Lucy

COOS

Hatch, William | Theberge, Robert | Thomas, Yvonne

GRAFTON

Abel, Richard | Almy, Susan | Bennett, Travis | Brown, Chris
Cooney, Mary | Ford, Susan | Hennessey, Martha | Higgins, Patricia
Maes, Kevin | Massimilla, Linda | Nordgren, Sharon | Piper, Wendy
Smith, Suzanne | Sykes, George | Townsend, Charles

HILLSBOROUGH

Backus, Robert | Beaulieu, Jane | Booras, Efstathia | Brown, Pamela
Cohen, Alan | Cornell, Patricia | DiSilvestro, Linda | Forest, Armand
Freitas, Mary | Gidge, Kenneth | Goley, Jeffrey | Gorman, Mary
Guerette, C. Lee | Hansberry, Daniel | Harvey, Suzanne | Heath, Mary
Herbert, Christopher | Jack, Martin | Jeudy, Jean | Long, Patrick
Mangipudi, Latha | Manley, Jonathan | McNamara, Richard | O'Brien, Michael
O'Neil, William | Porter, Marjorie | Roberts, Carol | Rosenwald, Cindy
Shattuck, Gilman | Shaw, Barbara | Smith, Timothy | Snow, Kendall
Soucy, Timothy | Vann, Ivy | Walsh, Robert | Williams, Kermit
Wolf, Terry | Woodbury, David

MERRIMACK

Alicea, Caroletta | Bartlett, Christy | Carson, Clyde | Deloge, Helen
Doherty, David | Ebel, Karen | Frazer, June | French, Barbara
Gile, Mary | Henle, Paul | Hirsch, Geoffrey | Karrick, David
Kenison, Linda | Luneau, David | MacKay, James | Moffett, Howard
Ratzki, Mario | Rice, Harold (Chip) | Rogers, Katherine | Saunderson, George
Schuett, Dianne | Shurtleff, Stephen | Turcotte, Alan | Wallner, Mary Jane

ROCKINGHAM

Berrien, Skip | Cahill, Michael | Cali-Pitts, Jacqueline | Cushing, Robert
DiFranco, Debbie | Gordon, Pamela | Heffron, Frank | Lovejoy, Patricia
McBeath, Rebecca | Moody, Marcia | Sherman, Thomas | Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William | Berube, Roger | Bixby, Peter | Burton, Wayne
Cilley, Jacalyn | DiSesa, Len | Gardner, Janice | Horrigan, Timothy
Kaen, Naida | Rollo, Deanna | Schmidt, Peter | Southworth, Thomas
Spang, Judith | Sprague, Dale | Verschueren, James | Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John | Converse, Larry | Gagnon, Raymond | Gottling, Suzanne
Grenier, James | Irwin, Virginia | O'Hearne, Andrew | Oxenham, Lee
Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

SB 195-FN, encouraging instruction in cursive handwriting and memorization of multiplication tables. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Josh Moore for the Majority of Education. This bill would simply encourage each school board to teach cursive handwriting and memorization of multiplication tables. It does not mandate that either be taught, so it will not take away local control. We believe that memorization is beneficial in early childhood. We also believe that cursive handwriting still has a place in our society and this skill will be needed by future generations, in order to read our founding documents, as well as many other purposes. Vote 15-6.
Rep. James Verschueren for the Minority of Education. The minority of the committee does not oppose teaching cursive nor memorization of the multiplication table. This bill is too muddled to be entered into statute. "Encouragement" is fuzzy statutory language. The bill also suggests that it is appropriate for the legislature to tread on the authority of local school boards to set curriculum. A house resolution would have been the more appropriate vehicle for encouraging school boards in this direction.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Verschueren spoke against and yielded to questions.
Rep. Cordelli spoke in favor and yielded to questions.
On a division vote, 186 members having voted in the affirmative and 155 in the negative, the majority committee report was adopted and ordered to third reading.

SB 48, relative to the New Hampshire commission on Native American affairs. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This is a house keeping bill that extends the New Hampshire commission on Native American affairs to the year 2020. The commission recognizes the historic and cultural contributions of Native Americans throughout the state, strengthens and promotes N.H. native peoples' heritage and represents Native American interests through state policy and programming. Vote 11-3.
Committee report adopted and ordered to third reading.

SB 125-FN, relative to certification and licensure for mold assessment or remediation services. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill requires persons who provide mold assessment or remediation services for residential dwellings for a fee to be certified by a nationally recognized accrediting body and licensed by the state. The majority of the ED&A committee agreed that mold constitutes a health problem for homeowners, that one's home is often his/her single largest asset, and that a homeowner should be able to rely on a basic level of competency from providers of mold assessment and remediation services. The amendment clarifies the language of the bill to ensure that providers offering assessment services are included in this category. Vote 11-3.

Amendment (1198h)

Amend the bill by replacing all after the enacting clause with the following:

1 Findings. The general court finds that mold in a residential structure can constitute a significant health threat for the inhabitants. Homeowners who hire a professional to assess a mold problem or remediate such mold problem need assurance that the job will be done correctly. Failure to remediate a mold problem correctly not only is a waste of the homeowner's money but may also result in serious health issues if the mold is not removed correctly or at all. This consumer protection proposal gives homeowners a method to protect their health and the health of their families by assuring a level of competence in those they hire to assess or remediate a mold problem.

2 New Chapter; Mold Remediation. Amend RSA by inserting after chapter 310-B the following new chapter:

CHAPTER 310-C
MOLD ASSESSMENT OR REMEDIATION

310-C:1 Definitions. In this chapter:

I. "Administrator" means the administrator of the joint board established in RSA 310-A:1-a.

II. "Mold assessment" means:

(a) An inspection, investigation, or survey of a dwelling or other structure to provide information to the owner regarding presence, identification, or evaluation of mold;

(b) The development of a mold remediation specification or protocol; or

(c) The collection of a mold sample for analysis.

III. "Mold assessment license" means a license obtained from the administrator that permits an individual to assess mold problems in a residential setting for a fee.

IV. "Mold remediation" means the removal, cleaning, sanitizing, demolition, or treatment of mold or mold-contaminated matter, live or dead, in a specific location after a mold assessment.

V. "Mold remediation license" means a license obtained from the administrator that permits an individual to remediate mold problems in a residential setting for a fee.

VI. "Third party certification" means a certification approved by a national non-profit organization whose programs are accredited by ANSI (American National Standards Institute), CESB (Council of Engineering and Scientific Specialty Boards), NCCA (National Commission for Certifying Agencies), or any other accrediting body that operates in compliance with the ISO (International Organization for Standardization) standard for accrediting organizations. Certifications are credentials of industry knowledge granted to individuals by a certification body for a limited time. The individual shall not own the designation; the designation shall be owned by the certifying body. Certification holders shall meet certain requirements set by third party certification organizations in order to be recertified.

310-C:2 Mold Remediation Certification.

I. No person shall perform residential mold assessment or remediation services for remuneration unless that person possesses a valid national third party certification for mold assessment or mold remediation and a valid mold assessment or mold remediation license for the state of New Hampshire or such person is working under the direct supervision of a person possessing a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire.

II. The administrator shall establish a license for persons engaging in mold assessment and a license for persons engaging in mold remediation. The administrator shall establish a fee for licensure in order to cover the cost of administering the licensing program.

III. All licenses shall expire on the last day of the month of the licensee's birth in the second year following the year of issuance. The administrator shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The administrator shall charge a reinstatement fee consisting of 20 percent of the renewal fee.

IV. Any person who offers mold assessment or mold remediation services for a fee but does not comply with this chapter or rules adopted under this chapter shall be guilty of a violation and fined $150.

V. Any professional hired for remuneration by a homeowner, in which the primary work contracted for is neither mold assessment nor mold remediation, shall be exempt from this chapter.

VI. Any person holding a current New Hampshire pesticide applicator registration certificate under RSA 430:33 shall be exempt from the licensing requirements of this chapter.

310-C:3 Rulemaking. The administrator of the joint board shall adopt rules pursuant to RSA 541-A, relative to:

I. The application procedure for a license to practice under this chapter;

II. How a license to practice under this chapter shall be renewed or reinstated; and

III. The establishment of all fees required under this chapter.

3 New Paragraph; Administration of the Joint Board. Amend RSA 310-A:1-a by inserting after paragraph IV the following new paragraph:

V. The regulation and licensure for mold assessment and mold remediation services under RSA 310-C.

4 Effective Date. This act shall take effect January 1, 2016.

Rep. Sytek moved Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Executive Departments and Administration.

SB 142, proclaiming September 25 as Ataxia Awareness Day. **INEXPEDIENT TO LEGISLATE.** Rep. Peter T. Hansen for Executive Departments and Administration. The bipartisan majority of the committee felt that while public awareness for Ataxia is important and useful, the committee recognized that the governor in any and every term has the opportunity to declare Ataxia Awareness Day and therefore action by the legislature is not required to achieve the desired results. Vote 8-5. Committee report adopted.

SB 191-FN, relative to the use of the state's procurement card services. **OUGHT TO PASS.**
Rep. Mark L. Proulx for Executive Departments and Administration. This bill is a result of a successful pilot program begun 5 years ago for some executive department purchases. The bill would expand the program by allowing procurement cards to be used for major contract purchases for items such as salt, oil and gasoline. It would also extend the program to participation by the legislative and judicial branches as well as permitting municipalities and school districts to participate. This program replaces the antiquated field purchase order system which entails multi-form paperwork, delays and inefficient processing by many hands. Instead, procurement cards (with limits) would be used by state agencies and would allow for transactions to be monitored electronically. As a result, department heads could keep tabs on purchases in a day rather than the possibly weeks under the present paper system. The bill would also result in more timely payments to vendors. While the primary purpose of the bill is efficiency and better accountability, there are ancillary financial benefits. There are rebates associated with the use of procurement cards which subdivisions could share if their purchases are consolidated with those of state government. The bill provides for separate accountability and the state would not be responsible in any way for purchases made by participating subdivisions. Vote 11-3.
Committee report adopted and referred to the Committee on Finance.

SB 181, relative to registration fees for hunter education programs of the fish and game department. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Ivy C. Vann for the Majority of Fish and Game and Marine Resources. The bill allows the fish and game department to charge up to $10 for hunter education classes to reduce the high rate of no shows taking up spaces in over subscribed classes. Vote 9-2.
Rep. James A. Spillane for the Minority of Fish and Game and Marine Resources. This bill, although intended to cut down on no-show students, is actually charging a new fee for a program that is currently paid 100% by the federal government. This bill, with some work, could have accomplished the decrease in no-shows without charging a new fee for 100% paid-for program.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Carol McGuire offered floor amendment (1318h).

Floor Amendment (1318h)

Amend the bill by replacing section 1 with the following:

1 Registration Fees; Training Programs; Hunter Education Program; Credit. Amend RSA 214:23-b to read as follows:

214:23-b Program. The executive director, after consultation with the commission, is authorized to establish programs for training persons in the safe and responsible handling of any firearm and bow and arrow used for hunting and for this purpose may cooperate with any public or private association or organization having as one of its objectives the promotion of safety in firearm and bow and arrow handling. The executive director, after consultation with the commission, shall prescribe the type of instruction, qualifications of the instructors, and time and place of examination, the successful completion of which shall qualify a person for the appropriate certificate of completion. ***The executive director may establish a nonrefundable registration fee not to exceed $10 to be paid by applicants to the hunter education program. The amount of the fee shall be established in rules adopted by the executive director under RSA 541-A. Any person successfully completing the hunter education training program shall be given a credit in the amount of the registration fee paid toward the purchase of a hunting license.***

AMENDED ANALYSIS

This bill allows the fish and game department to establish a registration fee paid by applicants to a hunter education program, and gives the applicant a credit for such amount toward the purchase of a hunting license after successful completion of the program.

Rep. Spillane spoke in favor and yielded to questions.
Rep. Vann spoke against.
On a division vote, 183 members having voted in the affirmative and 162 in the negative, floor amendment (1318h) was adopted.

MOTION TO LAY ON THE TABLE

Rep. Kidder moved that **SB 181,** relative to registration fees for hunter education programs of the fish and game department, be laid on the table.
Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 158

YEAS - 188

BELKNAP

Fields, Dennis	Tilton, Franklin		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Parker, Harold	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy			

COOS

Hatch, William	Moynihan, Wayne	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Cooney, Mary	Darrow, Stephen	Ford, Susan
Hennessey, Martha	Higgins, Patricia	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Booras, Efstathia	Brown, Pamela
Christiansen, Lars	Cohen, Alan	Cornell, Patricia	Danielson, David
DiSilvestro, Linda	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Infantine, William	Jack, Martin	Jeudy, Jean	Kurk, Neal
Leishman, Peter	Long, Patrick	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	O'Neil, William	Pellegrino, Anthony	Pierce, David
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire
Shattuck, Gilman	Shaw, Barbara	Smith, Gregory	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Straight, Phillip	Sullivan, Daniel
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Moffett, Howard	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane			

ROCKINGHAM

Belanger, Ronald
Berrien, Skip
Bush, Carol
Cahill, Michael
Cushing, Robert
Devine, James
DiFranco, Debbie
Ferrante, Beverly
Gordon, Pamela
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Lovejoy, Patricia
Lundgren, David
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Packard, Sherman
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Webb, James
Wood, David

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
Gardner, Janice
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Bridge, Ernest
Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Schmidt, Andrew

NAYS - 158

BELKNAP

Aldrich, Glen
Dumais, Russell
Fisher, Robert
Fraser, Valerie
Howard, Jr., Raymond
Hurt, George
Luther, Robert
Spanos, Peter
Sylvia, Michael
Vadney, Herbert

CARROLL

Avellani, Lino
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank

CHESHIRE

McConnell, Jim
Robertson, Timothy
Sterling, Franklin
Tilton, Benjamin

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Brown, Duane
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christie, Rick
Coffey, James
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gould, Linda
Hansen, Peter
Hogan, Edith
Hopper, Gary
Lachance, Joseph
LeBrun, Donald
Mangipudi, Latha
Marston, Dick
Martel, Andre
McCarthy, Peggy
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
Ober, Lynne
Palmer, Barry
Parison, James
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rowe, Robert
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hirsch, Geoffrey
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Patten, Dick
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Cook, Allen	Doucette, Fred
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Fesh, Robert
Friel, William	Gannon, William	Gordon, Richard	Griffin, Mary
Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter	Manning, John
Nigrello, Robert	O'Connor, John	Oligny, Jeffrey	Osborne, Jason
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Spillane, James	Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Ward, Joanne	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Cheney, Catherine	DiSesa, Len	Gray, James	Groen, Warren
Hannon, Joseph	Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don
Mullen, John	Parsons, Robbie	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Converse, Larry	Laware, Thomas	Oxenham, Lee	Rollins, Skip
Smith, Steven			

and the motion was adopted.

SB 149, relative to nonpublic sessions under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael J. Sylvia for the Majority of Judiciary. This bill sought to add a section to the right-to-know law related to nonpublic sessions which would allow school board discussions of entering into a student or pupil tuition contract. The majority of the committee felt that the addition of a full section solely for this narrow purpose was unnecessary. We believe that the school board contract discussions are currently covered by RSA 91-A: 3 II d.) "Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community." Vote 13-4.

Rep. Timothy O. Horrigan for the Minority of Judiciary. School districts are frequently required to enter into tuition contracts with other districts. This happens primarily when a district lacks its own high school. This bill, if passed, would allow school boards to meet in nonpublic session while negotiating tuition contracts which would allow them to make better deals.

MOTION TO LAY ON THE TABLE

Rep. Horrigan moved that **SB 149,** relative to nonpublic sessions under the right-to-know law, be laid on the table.

On a division vote, 125 members having voted in the affirmative and 217 in the negative, the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate.

Majority committee report adopted.

SB 47, repealing the payment of subminimum wages to persons with disabilities. **OUGHT TO PASS.**

Rep. Tammy A. Simmons for Labor, Industrial and Rehabilitative Services. This bill as amended eliminates an anachronistic policy that dates back to the 1930s and 1940s. No employers or agencies in NH currently pay sub-minimum wages to disabled employees. This bill does not impact the ability to pay sub-minimum wages in a family business under 279:26a or for training purposes under 279:22-aa. The committee unanimously recognized that disabled people deserve the same dignity and employment opportunities within the same guidelines as everyone else. Vote 16-0.

Reps. Ley and Infantine spoke in favor.

Committee report adopted and ordered to third reading.

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. **OUGHT TO PASS WITH AMENDMENT.**
Rep. William S. Baber for Science, Technology and Energy. Many states have changed how electric utilities are compensated by moving from a model where distribution service rates are based on the amount of power consumed to a model where rates are decoupled from consumption. This model has support from both ratepayers and utilities as it allows greater flexibility in the services utilities can offer. Currently utilities are disincentivized from offering services that conserve energy as doing so would reduce their revenue. Decoupling could remove this disincentive. The majority finds value in creating a commission to study decoupling so that any forthcoming model best meets the needs of New Hampshire, our ratepayers, and utilities. Vote 13-8.

Amendment (1259h)

Amend RSA 374-F:4-a, II as inserted by section 1 of the bill by deleting subparagraph (l).
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
On a division vote, 218 members having voted in the affirmative and 125 in the negative, the committee report was adopted and ordered to third reading.

SB 74, establishing a committee to study reducing the cost of county government. **INEXPEDIENT TO LEGISLATE.**
Rep. David A. Bickford for Municipal and County Government. The majority of the committee felt the duties spelled out in the bill could just as well be accomplished by the association of counties. One member of the association testified that he has been involved in about 16 similar studies in the past. Since no two counties are alike and don't want to be, a general study would accomplish little that would apply to all ten. Vote 11-4.
Committee report adopted.

SB 16, relative to the requirement for observers of water skiers. **OUGHT TO PASS.**
Rep. James W. McConnell for Resources, Recreation and Development. This bill provides that a wide-angle mirror may, under certain circumstances, replace the observer currently required in motorboats towing water skiers in a slalom course. Both the boat and the course must meet specific required criteria, so this does not apply to casual recreational skiers, tow boats or off course skiing. The committee found that the wide-angle mirror has successfully replaced tow boat observers elsewhere and, by eliminating the requirement that a third person be present in the tow boat, will increase the opportunities for competitive water skiers to practice their sport. Vote 14-5.
Committee report adopted and ordered to third reading.

SB 46, relative to public safety radio interoperability. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill replaces the word "telecommunications" with "telephony" to distinguish between radio transmission and telephone-style communication of digital voice and data. It further directs the department of safety to establish a Statewide Interoperability Executive Committee (SEIC) to develop statewide radio communications interoperability standards. These standards will allow police, fire, and other emergency services to communicate efficiently even when they come from different jurisdictions. This capability exists only sporadically today, but is needed as demonstrated by numerous specific examples cited in public testimony and by individual experiences related by committee members. The SEIC will also provide guidelines for the training of dispatchers and dispatch center supervisors, and will recommend technologies, operating procedures, network consolidation, and other resources that will enhance communications interoperability in New Hampshire. This bill was requested by the department of safety. Vote 13-8.
Rep. Douglas W. Thomas for the Minority of Science, Technology and Energy. This bill would formalize by statute a massive 45 member subcommittee to oversee statewide radio interoperability between members, appointed by the governor, of the Advisory Council on Emergency Preparedness and Security (ACEPS). Although members have been meeting informally, no standards have been developed. The minority agrees that statewide radio interoperability is critically important for communications between ACEPS groups and that there should be a focal point to determine what

standards are needed, but creating a statute for such a large group would be counter-productive. It is the minority's opinion that a significantly smaller group, representing all the state agencies, would be more efficient and reactive to the needs of the state.

The question being adoption of the majority committee report of Ought to Pass.
On a division vote, 214 members having voted in the affirmative and 124 in the negative, the majority committee report was adopted and referred to the Committee on Executive Departments and Administration.

SB 208, establishing a committee to study limiting the sulfur content of liquid fuels. **OUGHT TO PASS.** Rep. Douglas W. Thomas for Science, Technology and Energy. This bill seeks to study the effects on ultra-low sulfur content heating oil. Currently, No. 2 fuel heating oil used in New Hampshire contains 1200-2000 ppm sulfur. Sulfur contributes to equipment corrosion and is a pollutant. Ultra-low sulfur heating oil lowers the sulfur content to 15 ppm. It is currently required in most northeast states and five New England states by 2018. Testimony revealed that the use of ultra-low sulfur heating oil would reduce cleaning oil furnaces from every year to every two years and will not require modifications. By 2018 the cost per gallon of ultra-low sulfur heating oil should be very close to current heating oil prices and would be offset by the savings in reduced furnace cleanings. The study will provide time to investigate further and see how prices are affected. Vote 17-4.
Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Frank Kotowski for Health, Human Services and Elderly Affairs. This bill clarifies procedures in the law governing therapeutic use of cannabis. The original bill passed by the prior legislature established rules and conditions for issuing identification cards. This bill amends present law so that the department of health and human services will use the photograph submitted with the initial application for up to five years for the purpose of issuing renewal, or replacement registry identification cards after which the applicant shall submit a new photograph. Vote 17-1.

Amendment (1251h)

Amend RSA 126-X:4, I(c) as inserted by section 2 of the bill by replacing it with the following:

(c) A recent passport-sized photograph of the applicant's face. ***The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.***

Amend RSA 126-X:4, II(b) as inserted by section 3 of the bill by replacing it with the following:

(b) A recent passport-sized photograph of the applicant's face. ***The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.***

Amend RSA 126-X:5, I(b) as inserted by section 6 of the bill by replacing it with the following:

(b) The actor is a designated caregiver who has been issued a valid registry identification card, was in possession of [a] cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis on behalf of a qualifying patient ***; or***
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Kotowski spoke to a committee report correction.
Committee report adopted and ordered to third reading.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 29, 2015 at 10:00 a.m.
Motion adopted.

LATE SESSION

Third reading and final passage

SB 11, recodifying the Uniform Interstate Family Support Act.
SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition.
SB 71, relative to the administration of glucagon injections for children in schools.
SB 166, relative to facilitated individualized education program meetings.
SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions.
SB 148, relative to the shellfish inspection program.
SB 21, relative to the board of mental health practice.
SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention.
SB 43, relative to the care and custody of female prisoners.
SB 65, adding a judicial branch employee member to the deferred compensation commission.
SB 161, relative to the wellness and primary prevention council.
SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee.
SB 259-FN-L, relative to place of assembly licenses.
SB 70, relative to the processing of lobster tails.
SB 182, relative to the sale of freshwater fishing bait.
SB 183, allowing the fish and game department to offer lifetime hunting and fishing licenses for newborns.
SB 222-FN, relative to harassment of hunting, fishing, or trapping.
SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.
SB 49, relative to clinical eligibility determination for long-term care.
SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.
SB 108-FN, relative to health care associated infections.
SB 187, allowing a patient to designate a caregiver upon entry to a medical facility.
SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B.
SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants.
SB 44, relative to nonpublic sessions of public bodies under the right-to-know law.
SB 91, relative to appointment of counsel for indigent defendants.
SB 94, relative to documents filed electronically with a court under oath.
SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries.
SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers.
SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements.
SB 98, relative to third party review required by the planning board.
SB 143, relative to defining phased development.
SB 38, establishing a commission to develop a land conservation plan.
SB 80, relative to the state trails plan and establishing a committee on rail trails.
SB 168, relative to the duties of the commissioner of the department of environmental services.
SB 172, relative to the size limitations of off highway recreational vehicles.
SB 173, establishing a committee to study the feasibility of a club assistance program for off highway recreational vehicles.
SB 101, prohibiting the state from requiring implementation of common core standards.
SB 195-FN, encouraging instruction in cursive handwriting and memorization of multiplication tables.
SB 48, relative to the New Hampshire commission on Native American affairs.
SB 47, repealing the payment of subminimum wages to persons with disabilities.
SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities.
SB 16, relative to the requirement for observers of water skiers.
SB 208, establishing a committee to study limiting the sulfur content of liquid fuels.
SB 22, relative to certain changes in the law governing the therapeutic use of cannabis.

UNANIMOUS CONSENT

Rep. Hess requested Unanimous Consent of the House regarding President Lincoln and addressed the House.

Rep. Cooney requested Unanimous Consent of the House regarding Holocaust Remembrance Day and addressed the House.

MOTION TO PRINT REMARKS

Rep. Packard moved that the remarks made by Reps. Hess and Cooney be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Hess: Thank you very much, Mister Speaker. If you, like me, get bored on occasion with what happens down here in the well, and you look on the wall behind me, you will see 5 portraits. One of them is unique. Four of the gentlemen on this wall apparently needed support because either their right or their left hand rested on a table or some other piece of furniture. Only one, Abraham Lincoln, is shown standing alone. Not only standing without any support, but with his hand outstretched in a symbol of sacrifice or forgiveness, if you will. One hundred and fifty years ago last night at 10:15, John Wilkes Booth raised his single-shot Derringer and shot Abraham Lincoln in the back of the head. He was attended to by 3 doctors and 4 uniformed Union soldiers carried him down the stairs from his box seat across 10th Street and into a very modest row house across the street. I'd like to read the description of where he was taken by Shelby Foote, the noted historian. "The room was mean and dingy, barely 15 feet by 9 feet by length and width with a threadbare rug and oatmeal colored paper on the walls. The bed itself was too short for the long form which was placed diagonally on the corn shuck mattress. Lincoln's booted feet protruded well beyond the footboard. His head propped on extra pillows so that his bearded chin was on his chest as it had been when he was first shot." Now began a painful drawn out vigil. A death watch, if you will. In seven score and ten years ago at 7:22 this morning, Lincoln died. Thank you.

REMARKS

Rep. Cooney: Thank you, Mister Speaker. This year marks the 70th anniversary of the end of World War II and the liberation of the Nazi concentration camps. Tomorrow is the Jewish Holocaust Remembrance Day. Besides being a day to pay tribute to survivors and remembering the Holocaust, it is a day for all to reject all forms of intolerance and bigotry. This seemed to be the right time to speak about a death camp survivor I came to know through Plymouth Regional High School. Paul and Judy Floyd, teachers at PRHS, were vacationing in New Brunswick, Canada and made the chance acquaintance of Phil and Dorothy Riteman during a traffic stop. They noticed the number 98706 tattooed on Phil's arm. This initial chance meeting led to a long relationship between Phil and our high school students. With the support and commitment of our principal, Bruce Parsons, Phil has come down to New Hampshire every 4 years to educate all the students who have passed through our doors since 2000 with his firsthand account of the Nazi horrors. Phil's recent talk last Fall at the age of 90 may be his last so I was glad I was able to attend. Our former Speaker may remember meeting him back in 2002 when former Representative Deb Naro and I showed Phil and Dorothy around the State House and introduced him to Speaker Gene Chandler. Phil Riteman was born to a Jewish family in Shershev, Poland in 1924. His normal life was shattered in 1939 when Germany invaded Poland. The family was forced with all the others to march to Pruzhany to live in a ghetto. In 1941, his family along with 10,000 others were loaded into cattle cars and taken to the Auschwitz-Birkenau concentration camp. They were crammed together 100 in a box car with no food, water, or bathrooms for 7 days. No one could even sit down. Some died in those cars. Anyone who resisted, including crying children, were killed. Phil was only 16 at the time. Another prisoner, who was helping to organize the prisoners at the camp, advised him to say he was 18 and had a skill as a locksmith so he would be put to work rather than go with the women and children. He did not want to be separated from his family but he did as he was advised. This decision saved his life. The rest of those brought to the camps that day, the women, the children, the elderly and infirm, including Phil's parents, grandparents, five brothers, two sisters, nine aunts and uncles and cousins were sent to the gas chambers. The camp prisoners lived in lice infested barracks, each using his one bowl to eat from and sometimes to urinate in. Everyone guarded their bowl with their

life. If you lost your bowl, you lost your life. The thin broth made with leaves, insects, frogs and rats was all they had to eat along with one piece of sawdust filled bread. If you weren't up at 5:00 am you were shot. If you didn't do what they asked, no matter what it was, you were shot. If you were too weak to do the job, you were shot. One freezing night in February, the German soldiers marched 2,000 of them out of their barracks, naked except for their wooden shoes, in the snow with the temperature below zero to weed out the weak. Those that fell down were shot. There were many times such as this that Phil could hardly believe he didn't die. For the next 4 years Phil was shuttled between Auschwitz, Dachau, Landsberg and 2 other camps, working at whatever jobs he was told to do, sometimes transporting the dead to crematoriums and burying bodies in mass graves and sometimes working in the mud building roads. An estimated 20,000 died every day. One summer, Phil was given the job of taking care of the farm horses and working in the fields. He didn't starve then because he was able to eat the horses' grain when no one was looking. His best friend from home, Cola, a Christian Baptist, turned up unexpectedly in Auschwitz-Birkeneau. He begged for the story. Cola's whole family was killed when the Germans came to confiscate their cattle. His father was shot, his sisters were raped and shot, his mother burned, and his brother was also shot. He was captured and sent to the camps. Phil was able to get him to work at the farms. One day the Germans held him back for some reason. Cola was fair skinned and freckled. The guards made fun of him. They stripped him of his clothes, put him in the water trough for the horses and tried to scrape off his freckles with wire brushes. Phil heard his screams as he bled to death. He felt horribly responsible since he had brought Cola into the farm to work. Phil survived all the horrors he witnessed by making his mind a blank, just doing his job without thinking, day after day, year after year. One day they were marched up into the Tyrolean mountains to act as shields for the German soldiers so they wouldn't get bombed. They did this for about a month with no food or water. Sometimes they could break off an icicle to suck on, thousands died. Many bodies were tossed to the side of the road. Phil and the others saw the bomber planes and wished they would bomb them to put them out of their misery. One night they heard nothing; it was strangely quiet. On May 2, 1945 when daylight broke, the German soldiers were gone. Phil and his fellow prisoners saw tiny specks crossing the river below in the valley. The specks turned out to be the American soldiers coming toward them. As they got closer they heard them yelling "You're free, you're free!" One of the soldiers was a Jewish boy from Chicago who translated the message to him in Yiddish. At this time Phil weighed 75 pounds. They all looked like walking skeletons. Some of the American soldiers cried at the sight of the emaciated survivors. Phil thanks our armed forces over and over for saving his life and that of thousands of others. While living in a Red Cross refugee camp in Munich, Phil was contacted by relatives he never had met who lived in Newfoundland, Canada and New York. He did not believe the letters were real. Names of the survivors had been published in newspapers around the world. Both Canada and the United States refused to accept Phil as a refugee. When William Joseph Browne, the Magistrate Judge in Newfoundland, was asked if Phil could come, he said, "By all means, right away." Newfoundland was an independent country at that time and welcomed him. Phil's faith in the goodness in human nature was restored in that small island nation. He tells countless stories of kindness and compassion as he established himself there. As you might remember, the people of Gander, Newfoundland, hosted thousands of stranded airline travelers after 9-11. They are truly a wonderful community of people. When Phil first talked about his experiences, his aunt thought that he was mentally ill; the stories were so unbelievable. So for 40 years Phil never talked about what he saw. Then friends started asking him to speak the truth when they heard that some people were saying the Holocaust never happened. It was difficult for Phil to express out loud the nightmares he had been living with all those years. Phil came to believe it is his special mission to talk to young people about this scar on human history so they will know what really happened from someone who was there. Often, students will ask him if any one of the Germans in charge showed any kindness. We like to believe that a tiny sliver of compassion exists in any situation, but Phil said no, he never saw any instance of kindness, but rather the opposite was true. They took pleasure in their sadistic cruelty. Beatings and random murders were a daily occurrence. Students ask if he still believes in God: He replies, "I believe in love and humanity." Tears run down his face when he remembers the horrors he saw, but Phil remains dedicated to his mission. He begins speaking to the students by saying: "When I was your age, I lived in a concentration camp. I never had an education." His audience is always spellbound. His message to all is, "Think for yourself, don't be brainwashed quickly, do not hate anyone, above all, stand up against

evil. Go out and do good things, respect people and they will respect you. Love is better than hate." In 2010, Phil, with the help of a writer, Mireille Baulu-MacWillie, has been able to record his story in a book called Millions of Souls. In it, Phil speaks for the 11 million souls of those who did not survive the Holocaust. Included in the book are many pictures, among them is a picture of the New Hampshire State House Declaration signed by Speaker Gene Chandler honoring "Mr. Philip Riteman for his exemplary and dedicated service in educating the public about the Holocaust." Thank you.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.
Motion adopted.

The House recessed at 11:50 a.m.

RECESS

(Rep. MacKay in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 268.

Rep. Hinch, Sen. Prescott for the Committee

COMMITTEE ASSIGNMENT

The Speaker made the following change to committee assignments:
Rep. Edelblut on the Committee on Finance, Division II.
Rep. Hess off the Committee on Finance.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILL AMENDMENTS

HB 175, establishing a committee to study improving the efficiency of the financial approval process for housing subdivisions used by the department of justice.

Amendment (1358-EBA)

Amend section 2 of the bill by replacing subparagraph I(b) with the following:

(b) One member of the senate, appointed by the president of the senate.

Adopted.

HB 275, relative to the encroachment of a town cemetery on state-owned land.

Amendment (1315-EBA)

Amend section 1 of the bill by replacing lines 9 and 10 with the following:

5 percent, as determined by the department of revenue administration at the 2014 tax rate setting.

III. Should the town have an insufficient undesignated fund balance available to move the

Adopted.

HB 310, relative to reporting the destruction of motor vehicles.

Amendment (1316-EBA)

Amend RSA 261:22, I(a) as inserted by section 1 of the bill by replacing line 4 with the following: electronic file which shall also be sent to the department containing such information as is

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 107, 135, 166, 170, 177, 217, 259, 260, 429, 511 and 534.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Wall in the Chair)

ENROLLED BILL AMENDMENTS

SB 187, allowing a patient to designate a caregiver upon entry to a medical facility. (Amendment printed SJ 4-15-15)
Adopted.

SB 194-FN, relative to epinephrine administration policies in postsecondary educational institutions. (Amendment printed SJ 4-15-15)
Adopted.

RECESS

(Speaker Jasper in the Chair)

Rep. Flanagan moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 14

Wednesday, April 29, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

Creator God, we marvel at the intricacy of the world around us; we see the miracle of pattern and symmetry, structure and form, light and color; and we are humbled and amazed. Then we look at the work we are called to do and we see that we are all designers, architects and builders; we are all artists, composers, and co-creators of a world and a people entrusted to our care. Help us believe in the power of Your creative spirit; inspire us to rethink what is failing, to restore what is broken, and to recognize, without regret, what has run its course. We give You thanks for trusting us to honor Your artistry with our own. Help us to see clearly, to work confidently, and to take pride in what we do. And, may our contributions to this world be a valued gift to the generations that follow us and learn from us.

Representative Judith Spang, member from Durham, led the Pledge of Allegiance.

Representatives Tara Sad and Lucy Weber, members from Walpole, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Comtois, Katsakiores, Rokas, Russell and Sanders, the day, illness.
Reps. Baldasaro, Barry, Rebecca Brown, Cook, Cornell, Deloge, DiFranco, Flanders, Halstead, Irwin, Ley, Mangipudi, Peckham, Richardson, Jeffrey Shackett, Sherman, Silva, Tucker, Vann and Wright, the day, important business.
Rep. Murotake, the day, illness in the family.

INTRODUCTION OF GUESTS

Emily Yurcak, student at Wilton Lyndeborough School, Page for the day.
John Best, guest of Rep. Tasker. Joel Weinrebe, guest of Rep. LeBreche. Joe Eisenberg, guest of Rep. Carson. Lynnda Parsons, Adam Goboni, Aroara, and Mattais Goboni, wife, grandson, and great-grand children of Rep. Parsons. Virginia Berrien, wife of Rep. Berrien. Joan Rice, wife of Rep. Frederick Rice. Grace, Lily, and Lincoln Brown, family of Rep. Pamela Brown. Denise, Anthony, Phillip and Gianna Smith, family of Rep. Gregory Smith. The Honorable Sylvia Gale, former member from Nashua, and Deidre Reynolds, guests of Rep. Harvey. The Honorable Stephen Ketel, former member from Dover, guest of Rep. Verschueren. The Honorable Mark Hounsell, former Senator from Conway, and the Mount Washington Valley Cable station, guests of the Carroll County Delegation. Representative-elect Dennis Green, guest of Rep. Weyler. Chris Heath, Bob Trombi, and members of the New Hampshire State Grange, guests of Rep. Haefner. German Exchange Students at Hanover High School, guests of the Grafton County Delegation.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
SB 13, relative to the disposition of dedicated funds, removed by Rep. Bixby.
SB 243, relative to nonpublic sessions under the right-to-know law, removed by Rep. Fromuth.
Consent Calendar adopted.

SB 53, repealing the interagency coordinating council for women offenders and transferring certain members and duties to the interbranch criminal and juvenile justice council. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Welch for Criminal Justice and Public Safety. This bill repeals the interagency council for women offenders and the amendment adds the warden for the state prison for women to the interbranch criminal and juvenile justice council. The duties of the council for women offenders have been accomplished and are hereby repealed. Vote 16-0.

Amendment (1213h)

Amend the title of the bill by replacing it with the following:

AN ACT repealing the interagency coordinating council for women offenders and relative to the membership of the interbranch criminal and juvenile justice council.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Interbranch Criminal and Juvenile Justice Council; Membership. Amend RSA 651-E:2, I by inserting after subparagraph (y) the following new subparagraph:

(z) The warden of the New Hampshire correctional facility for women, or designee, appointed by the commissioner of the department of corrections.

2 Repeal. RSA 21-H:14-c, relative to the interagency coordinating council for women offenders, is repealed.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill repeals the interagency coordinating council for women offenders and adds the warden of the New Hampshire correctional facility for women to the membership of the interbranch criminal and juvenile justice council.

SB 72, relative to confidentiality of police personnel files and establishing a commission to study the use of police personnel files as they relate to the Laurie List. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Len DiSesa for Criminal Justice and Public Safety. A brief background would be helpful in understanding the need to establish a "Laurie" commission. In the U.S. Supreme Court case, Brady v. Maryland, 373 U.S. 83 (1963), the Constitution requires that all evidence material either to guilt or to punishment must be disclosed to criminal defendants. In State v. Laurie, 139 N.H. 325 (1995), the New Hampshire Supreme Court followed that principle, holding that all defendants have a right to receive evidence that could impeach a police officer by "reflect[ing] negatively on [the officer's] character and credibility." Hence, the "Laurie List" was established for police officers who in the course of their work, were found to be less than truthful in either their court testimony, their report writing and evidence handling, or their statements in an internal investigation involving their conduct. In State v. Laurie, the New Hampshire Supreme Court overturned a murder conviction when the prosecutor failed to disclose information contained in a detective's personnel file, a violation of the defendant's due process. Personnel files are confidential by statute, and a prosecutor cannot conduct a search of those files for officers placed on the "Laurie List" by the chief of police of their respective departments, relying on the police department to identify potential Laurie issues in an officer's file and then notify prosecution. The prosecutor then files a motion under seal advising the court of the material's existence and requesting the court for an in camera review by a judge to determine whether disclosure of any portion of the file is exculpatory and would be required to be given to the defense attorney. Every police department sets up its own list and has policies that deal with this issue. Oftentimes, officers are denied due process because they may not even be aware that they are on the "Laurie List." At present, there is no mechanism for an officer to challenge being placed on the list. SB 72 would establish a commission whose representative members would be from all aspects of the criminal justice system: judicial, legislative, the attorney general, county attorney, public defender, police chiefs, and victim/witness advocate. The commission's charge would be to find out how other states have dealt with this issue, and evaluate after review, other approaches to this issue to see about establishing a uniform policy for all departments across the state. It would report its findings to the president of the senate, the speaker of the house, the senate and house clerks, the governor, and the state library on or before November 1, 2015. Vote 11-0.

Amendment (1336h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study the use of police personnel files as they relate to the Laurie List.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Commission on Use of Police Personnel Files. Amend RSA 105 by inserting after section 13-b the following new section:

105:13-c Commission on Use of Police Personnel Files.

I. There is established a commission to study the use of police personnel files as they relate to the Laurie List.

II.(a) The members of the commission shall be as follows:

(1) One member of the senate, appointed by the president of the senate.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(3) The attorney general, or designee.

(4) One county attorney, appointed by the New Hampshire Association of Counties.

(5) One sheriff, appointed by the New Hampshire Sheriff's Association.

(6) One public defender, appointed by the New Hampshire Public Defender.

(7) One criminal defense lawyer, appointed by the New Hampshire Association of Criminal Defense Lawyers.

(8) One chief of police appointed by the New Hampshire Association of Chiefs of Police.

(9) The commissioner of the department of safety, or designee.

(10) One police officer, appointed by the New Hampshire Police Association

(11) One superior court judge, appointed by the chief justice of the superior court.

(12) One circuit court judge, appointed by the chief justice of the circuit court.

(13) The director of the American Civil Liberties Union of New Hampshire, or designee.

(14) A victim/witness advocate, appointed by the director of the office of victim/witness assistance.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall study the use of police personnel files as they relate to the Laurie List. The commission's study shall include, but not be limited to, what the appropriate procedure and criteria should be for being placed on or removed from the Laurie List. The commission shall study any other issue that the commission deems relevant to its objective. The commission may solicit the advice or testimony of any organization or individual with information or expertise relevant to its study.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

2 Repeal. RSA 105:13-c, relative to the commission on use of police personnel files, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2015.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

The bill establishes a commission to study the use of police personnel files as they relate to the Laurie List.

SB 92, establishing a committee to study public access to political campaign information. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Duane R. Brown for Election Law. This bill as amended establishes a committee to study public access to political campaign information. This bill as amended is identical to HB 304 that was previously passed by the house. The committee shall study the merits and viability of an online campaign finance reporting system and a clearinghouse of information for voters to access with input from the secretary of state and the attorney general. Vote 18-0.

Amendment (1298h)

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall study public access to political campaign information. The committee shall evaluate the merits and viability of having the state establish or endorse:

(a) A system of online campaign finance reporting.

(b) An online clearinghouse of information for voters, including voter registration and polling place information and information filed by candidates and political committees.

II. The committee shall solicit input from the secretary of state and the attorney general.

SB 251, relative to regulations for commercial composters. **OUGHT TO PASS.**

Rep. John T. O'Connor for Environment and Agriculture. This bill allows for DES to simplify administrative rules to incorporate the use of vegetable matter, dairy and meat products in NH composting facilities and will bring our composters in line with all the surrounding states. DES in conjunction with the UNH research center has demonstrated that developing newer technology has brought "trash to treasure" using best available management practices. Vote 17-0.

SB 5, relative to transfers into the revenue stabilization reserve account. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan McGuire for Finance. This bill concerns the movement of surplus funds at the end of a biennium to the revenue stabilization reserve account, otherwise known as the rainy day fund. It adds the word "automatically" to the phrase "shall be transferred," and asserts that a two-thirds vote of the legislature be necessary to prevent this transfer. Though the bill is well-intentioned, it is unworkable. The two-thirds requirement can easily be overridden with a simple majority vote on legislation that repeals the provision, has the word "notwithstanding" or suspends the provision for a biennium. To actually constrain the legislature, a constitutional amendment is required. Since a bill cannot be amended into a constitutional amendment, we find SB 5 Inexpedient to Legislate. Vote 21-0.

SB 90, relative to the judicial branch budget. **OUGHT TO PASS.**

Rep. Lynne M. Ober for Finance. This bill changes RSA 9:4-a to match the current budgetary methods used by the judicial branch. This RSA has not been changed since the superior court became part of the judicial branch instead of part of county government. The judicial branch requested that the RSA be changed to reflect current budgetary methods. The supreme court in consultation with the judicial branch administrative council, appointed pursuant to supreme court rule 54, will prepare the judicial branch budget for review and processing by the legislature according to the same time schedule for budgetary review and analysis required of executive agencies. The judicial branch budget will be prepared upon forms and according to procedures prescribed by the commissioner of administrative services. There is no fiscal impact. Vote 23-0.

SB 258-FN, changing the timing of determination of weighted case units for the purpose of calculating the judicial branch budget request and judicial salaries. **OUGHT TO PASS.**

Rep. J. Tracy Emerick for Finance. This bill changes the date from October to July when the court's administrative office will prepare the number of weighted case units for the following calendar year for both the district courts (amend RSA 491-A:3) and judicial branch (amend RSA 490-F:11) This will assist the court in preparing schedules. There is no fiscal impact. Vote 23-0.

SB 19, relative to the payment of restitution among and between co-defendants. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Hopper for Judiciary. This bill deals with restitution between defendants: Your home is robbed and three people are found guilty of the crime. They are then required to pay you restitution of $9,000. Under current law the department of corrections would chase all three down until you are paid in full by one or more of the defendants. If this bill passes, the corrections department would continue to chase each defendant down until each had paid his or her $3,000 share and pay back any defendants who over paid. Although this would be more fair, it would also put an undue burden on the department of corrections which could last for many years. This is why a majority of our committee found SB 19 Inexpedient to Legislate. Vote 16-1.

SB 167, relative to filing of small claims. **INEXPEDIENT TO LEGISLATE.**
Rep. David Woodbury for Judiciary. This bill intends to resolve a conflict and confusion between RSA 503:3-a which allows filing a small claims in the court of either the plaintiff or defendant and RSA 503:3-b which can be read to favor venue in the defendant's court. However, in fact there has been no important confusion or dysfunctionality since 1965. The need for this measure was not apparent since filing can and has taken place in both plaintiffs' and defendants' courts, which is in line with usual practice in other courts in this state. Vote 17-0.

SB 186, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Tammy A. Simmons for Labor, Industrial and Rehabilitative Services. This bill re-establishes a study commission to make recommendations regarding workers' compensation coverage of soft tissue injuries which are currently not covered. The committee realizes that when the law was drafted, the possibility of such injuries may not have been considered. The committee amendment leaves in place the current sunsetting date of 7/1/16. The study commission must report by 11/1/15 – allowing sufficient time to submit legislation for consideration before the sunset date. Vote 13-1.

Amendment (1382h)
Amend the bill by deleting sections 4-5 and renumbering the original section 6 to read as 4.

AMENDED ANALYSIS
This bill reestablishes the commission to study soft tissue injuries for purposes of workers' compensation and to study the feasibility of developing a first responder's critical injury fund.
Referred to the Committee on Finance.

SB 141, relative to powers of the zoning board of adjustment. **INEXPEDIENT TO LEGISLATE.**
Rep. Jane E. Beaulieu for Municipal and County Government. The committee believes that the zoning boards of adjustments need at least 3 members present to vote to override any established municipal ordinance. The NH planners association was not in favor of the bill. Municipalities have the ability to add alternates to their zoning boards and the governing body can remove any member due to negligence of their duty. Vote 16-0.

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Robert A. Backus for Science, Technology and Energy. As amended this bill will require the public utilities commission (PUC) to redesign its website to afford electric power residential customers and small commercial customers with needed and appropriate comparative price and other relevant information for their use in choosing an electric supply company. It also provides a remedy through the PUC for customers who can demonstrate that they have been subject to unfair trade practices by their provider and to obtain redress, e.g. restitution. It also allows the PUC to fine or take other appropriate action against a supplier found to have engaged in such practices. Finally, the bill provides a modest extension of time (from July 1 to November 1, 2015) for the site evaluation committee to finalize new rules implementing RSA 162-H: 16, as adopted in the last session. Vote 13-2.

Amendment (1286h)
Amend RSA 374-F:4-a, I as inserted by section 1 of the bill by replacing it with the following:
I. Within 60 days of the effective date of this section, the commission shall initiate a proceeding to develop rules to allow residential and small commercial customers to choose how they receive communication from competitive electric suppliers and to implement the provisions of this section.
Amend RSA 374-F:7, III as inserted by section 2 of the bill by replacing it with the following:
III. The commission may assess fines against, revoke the registration of, order the rescission of contracts with residential customers of, order restitution to the residential customers of, and prohibit from doing business in the state any competitive electricity supplier, including any aggregator or broker, which is found to have:
(a) Engaged in any unfair or deceptive acts or practices in the marketing, sale, or solicitation of electricity supply or related services;

(b) Violated the requirements of this section or any other provision of this title applicable to competitive electricity suppliers; or

(c) Violated any rule adopted by the commission pursuant to paragraph V and RSA 374-F:4-a.

SB 78, relative to original and youth operators' licenses. **OUGHT TO PASS.**
Rep. Larry G. Gagne for Transportation. This bill was requested by the department of safety to correct an oversight when the DWI statutes were consolidated into a single chapter in 2006. During the process, a reference to the old DWI statutes, RSA 265:80, 82, and 82-a were never removed and replaced with the new statute, RSA 265-A. Vote 14-0.

SB 160, relative to duplicate vessel registration certificates. **OUGHT TO PASS.**
Rep. Michael B. O'Brien for Transportation. Current practice at the DMV allows boat owners to obtain a duplicate vessel registration for a $15 fee. Upon the recommendation of JLCAR, the DMV would like to see this current practice put into statute, which this bill would do. Vote 14-0.
Referred to the Committee on Ways and Means.

SB 171, establishing a committee to study issues concerning parking for those with walking disabilities. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Werner D. Horn for Transportation. This bill establishes a committee to study issues concerning parking for those with walking disabilities. New issues regarding van accessible parking need to factor into future parking allocation formulas. The committee amendment adds one member of the house transportation committee to the members of the study committee. Vote 14-0.

Amendment (1276h)

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives, 2 of whom shall be from the health, human services and elderly affairs committee, one of whom shall be from the transportation committee, and one of whom shall be from the municipal and county government committee.

(b) One senator appointed by the president of the senate.

SB 231, relative to the month of inspection for municipal fleets. **OUGHT TO PASS.**
Rep. Larry G. Gagne for Transportation. In order to set a new schedule for municipal fleet inspections, the director of the department of motor vehicles is authorized, one time, to require municipal fleet vehicles to be inspected in the new month (September) regardless of the month of the previous inspection. This bill was a request of the department of safety. Vote 13-0.

SB 134-FN, relative to the escheat of United States savings bonds. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joseph R. Lachance for Ways and Means. This bill specifies the conditions under which unclaimed US Savings Bonds escheat to the State of New Hampshire are presumed to be abandoned and unclaimed if: A) last known address of the owner of the US Savings Bond is in New Hampshire; and B) the US Savings bond remains unclaimed and unredeemed for 5 years after maturity. Any person making a claim for the US Savings Bonds which have escheated to the State of New Hampshire may make a claim to the state. After sufficient proof of the validity of such persons claim, the administrator may pay such claim less any expenses and costs, not to exceed 10% of the bonds proceeds, which shall have been incurred by the state in securing full title and ownership of such property by escheat. House ways & means unanimously passed this bill in a bipartisan manner. Vote 19-0.

Amendment (1238h)

Amend RSA 471-C:44, IX as inserted by section 1 of the bill by replacing it with the following:

IX. Any person making a claim for the United States savings bonds which have escheated to the state of New Hampshire under this section, or for the proceeds from such bonds which have escheated to the state of New Hampshire, may file a claim with the administrator. Upon providing sufficient proof of the validity of such person's claim, the administrator may pay such claim less any expenses and costs, not to exceed 10 percent of the bond's proceeds, which shall have been incurred by the state in securing full title and ownership of such property by escheat. If payment has been made to any claimant, no action thereafter shall be maintained by any other claimant against the state or any officer thereof, for or on account of such funds.

SB 192-FN, permitting the department of revenue administration to conduct employee candidate background checks and establishing the position of tax policy analyst within the department. **OUGHT TO PASS.**

Rep. Gary S. Azarian for Ways and Means. This is a housekeeping bill requested by the department of revenue administration. The bill cleans up terms of employment on a field audit team leader, permits a federal background check on new employees, properly classifies the position of tax policy analyst, and adjusts a salary letter grade to properly reflect a director position. Vote 19-0.

Referred to the Committee on Finance.

REGULAR CALENDAR

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for the Majority of Criminal Justice and Public Safety. As amended, the bill extends the license renewal period from 4 to 5 years, saving time for both citizens and police departments. The bill codifies in NH statute precisely what criteria should be used by police departments when issuing a license. The bill makes the license to carry concealed optional for those who are currently able to carry openly without a license. Lastly, the bill clarifies the process on how NH develops reciprocal agreements with other states regarding carry licenses. All of the changes in the bill are in compliance with Part 1, Art. 2-a, of the N.H. constitution, protecting a person's right to keep and bear arms, while also recognizing law enforcement's requests to prohibit certain persons from obtaining a license. The committee heard significant testimony about the current abuses within the existing licensing system. The committee also heard testimony that the statute was originally enacted as a racial profiling statute in the early 1900s. There was also a recent NH Supreme Court case involving Mark Doyon vs. Hooksett Police Department which altered the standards which were being used by police departments to grant licenses. Current NH statute requires that upon application, the police" shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state and that the applicant is a suitable person to be licensed." The issue at hand was there was no definition in statute for the term "suitable." This ambiguity had been addressed for over a decade by the backside of the application form which read: "Applicants not prohibited under federal or NH law from possession of a firearm shall be deemed suitable persons and the license shall be issued unless the applicant is so prohibited from possessing a firearm. The burden is on the licensing entity to prove by clear and convincing proof that the applicant is so prohibited from possessing a firearm." The bill updates the language in current statutes to the following clear definition for use by police departments when issuing a license: "Unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm." The majority of the committee felt that the language changes in the amendment balanced the need for public safety while protecting the rights of citizens. Vote 10-6.

Rep. Len DiSesa for the Minority of Criminal Justice and Public Safety. Article 3 of the New Hampshire Constitution states in part: "Society, its Organization and Purposes. When men [and women] enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others." No one's rights are absolute. One's rights under the Bill of Rights ends when it tramples on the rights of another. One cannot yell "fire!" in a crowded theater when no such emergency exists. One cannot use insulting language toward another that would reasonably be construed to be "fighting words." One cannot just assemble a meeting in a public place without first acquiring a permit to do so. And constituents cannot vote unless they either produce a valid photo identification or, if that is not available, swear to an affidavit attesting to their identity. These are all limited intrusions on our rights that lead to the greater good. The application for a license to carry a concealed firearm is one such limited intrusion. SB 116-FN would remove a police department's ability to perform a cursory background check before issuing a concealed carry permit. This bill if enacted will do nothing to increase the safety of the public in general or more specifically police officers. The New Hampshire Association of Chiefs of Police is against this legislation, and with good reason. Applying for a concealed carry permit once every four years at a cost of $10 is a limited intrusion on one's Second Amendment rights to bear arms. It is reasonable, it is practical, and it is effective. The argument that is most often used in eliminating this application process is that if criminals want to carry a concealed firearm, they will. While that is true, it has no relevance to this issue. People will drive drunk. They will break into homes to burglarize them. They will sell illegal drugs. But we have deterrents in place, laws, that invoke a penalty when people act in

a way that harms society. We do not make it easy for them to do that. The application process is but a small hurdle for a person to jump over, and it has been in place for decades. Why eliminate it now? The larger question here comes down to one's philosophy on what makes society safer. Proponents of SB 116-FN would argue that if everyone carried a concealed firearm, we would all be safer, and people would act in a more civilized manner. But firearms are extremely dangerous and can easily be mishandled especially if the person carrying one is untrained in their use, or if the person is impaired in any way. Once a round is fired, it cannot be taken back. This is not a Second Amendment issue. It is a safety issue, and repealing this law flies in the face of common sense. The minority of the criminal justice committee strongly recommends that this bill be rejected as Ought to Pass with amendment so that a motion may be made for Inexpedient to Legislate.

Majority Amendment (1322h)

Amend RSA 159:6, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than [~~4~~] ***5*** years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, [~~and that the applicant is a suitable person to be licensed~~]***, unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm***. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. Burt and Notter spoke in favor.

Rep. Hirsch spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 150

YEAS - 212

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
Umberger, Karen			

CHESHIRE

Emerson, Susan	Hunt, John	Mann, John	McConnell, Jim
Sterling, Franklin			

COOS

Rappaport, Laurence	Rideout, Leon	Theberge, Robert	Tholl, John

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Piper, Wendy		

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Goley, Jeffrey
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Hinch, Richard
Hogan, Edith
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Soucy, Timothy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Turcotte, Alan
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Devine, James
Doucette, Fred
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Guthrie, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Parsons, Robbie
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Converse, Larry
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 150

BELKNAP

Spanos, Peter

CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Parker, Harold
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Brown, Pamela
Cohen, Alan	Cote, David	DiSilvestro, Linda	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Katsiantonis, Thomas	Long, Patrick	Manley, Jonathan	McNamara, Richard
O'Brien, Michael	O'Neil, William	Palmer, Barry	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman
Smith, Timothy	Snow, Kendall	Sullivan, Daniel	Twombly, Timothy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DeSimone, Debra	Elliott, Robert	Francese, Paula
Gordon, Pamela	Griffin, Mary	Heffron, Frank	Lovejoy, Patricia
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	Moody, Marcia
Pantelakos, Laura	Priestley, Anne	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	O'Hearne, Andrew
Oxenham, Lee	Schmidt, Andrew		

and the majority committee report was adopted and ordered to third reading.

SB 236-FN, relative to alcohol ignition interlock requirements. **OUGHT TO PASS.**
Rep. Arthur E. Barnes for Criminal Justice and Public Safety. This bill will allow inspection of vehicles equipped with ignition interlock devices, to determine that the interlock has not been subject to tampering or circumvention. Vote 16-1.
Committee report adopted and ordered to third reading.

SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John L. Balcom for Education. This bill modifies, updates language and clarifies tuition for career and technical education center (CTE) programs and the administration of CTE programs by the department of education. Amending language deletes reference to common calendars among sending school districts and the CTE center as this difficult coordination issue can be addressed through discussion and recommendation made by the proposed advisory council. Vote 19-0.

Amendment (1281h)

Amend RSA 188-E:5 as inserted by section 6 of the bill by deleting paragraph VII and renumbering the original paragraphs VIII through XI to read as VII through X, respectively.
Committee amendment adopted.
Committee report adopted and referred to the Committee on Finance.

SB 227, relative to calculating the cost of an adequate education. **OUGHT TO PASS.**
Rep. Glenn Cordelli for Education. This is a housekeeping bill that clarifies language based upon current practice as a result of previous legislation and a recent performance audit. Vote 19-0.
Rep. Dan McGuire offered floor amendment (1466h).

Floor Amendment (1466h)

Amend RSA 198:41, IV as inserted by section 4 of the bill by replacing it with the following:

[~~(c)~~] ***IV.(a)*** For fiscal year 2014[~~, and each fiscal year thereafter~~] ***through fiscal year 2016***, the department of education shall distribute a total education grant to each municipality in an amount equal to the [~~total education grant for the fiscal year in which the grant is calculated~~] ***amount determined in paragraph I or II,*** plus the amount of the fiscal year 2012 stabilization grant[~~, if any, distributed to the municipality~~].

(b) For fiscal year 2017 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the amount determined in paragraph I or II, plus 90 percent of the municipality's fiscal year 2012 stabilization grant.

(c) Beginning with the 2014 fiscal year, and each fiscal year thereafter, the department of education shall not distribute a total education grant to a municipality that exceeds 108 percent of the total education grant distributed to such municipality in the previous fiscal year.

Amend the bill by replacing sections 12-13 with the following:

12 Repeal. The following are repealed:

I. RSA 198:40-b, relative to use of differentiated aid.

II. RSA 198:41, IV(c), relative to the cap on the total education grant distributed to a municipality.

III. RSA 198:44, relative to the duties of the department of education and the state board of education.

13 Effective Date.

I. Paragraph II of section 12 of this act shall take effect July 1, 2016.

II. The remainder of this act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill makes various changes to the method of calculating, distributing, and reporting education grants to municipalities, and repeals the provisions relating to differentiated aid and, effective July 1, 2016, the cap on the total education grant distributed to a municipality.
Rep. Ford spoke against.
Rep. Dan McGuire spoke in favor and yielded to questions.
On a division vote, 201 members having voted in the affirmative and 161 in the negative, floor amendment (1466h) was adopted.
Motion of Ought to Pass with Amendment was adopted.
Referred to the Committee on Finance.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 186,** reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund.

REGULAR CALENDAR CONT'D

SB 249, relative to the Hampton and Exeter district divisions of the circuit court. **OUGHT TO PASS.**
Rep. Joseph M. Hagan for Judiciary. RSA 502-A: II created the Hampton-Exeter Circuit Court as a unified entity. However, Hampton and Exeter have functioned independently. This bill will codify present practice into law by creating separate Hampton and Exeter circuit courts. This would obviate building a new court house and decrease travel time and costs to citizens and government officials. Vote 15-1.
Committee report adopted and ordered to third reading.

SB 230-FN-L, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Michael D. Abbott for Transportation. This bill permits the department of transportation to establish seasonal speed limits on state roads under certain conditions (congestion by pedestrian and bicycle traffic) at the request of the local municipality, who will bear the entire cost of traffic studies and signage. The committee amendment fixes a conflicting statutory reference. Vote 10-5.

Amendment (1361h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Establishment of State Speed Zones. Amend RSA 265:62 by inserting after paragraph IV the following new paragraph:

V.(a) Notwithstanding the provisions of paragraph I and RSA 265:60, II, or any other law to the contrary, the commissioner of transportation, upon the petition of the governing body of a municipality, shall determine if any prima facie speed should be reduced to provide reasonable and safe conditions upon any part of the state highway system that is seasonally congested by pedestrian and bicycle traffic, as determined by the governing body of the municipality.

(b) The petition shall designate the area of the state highway system and the reasons for the reduction in the speed limit. The review of the petition shall include consultation with the petitioners. The commissioner shall provide the petitioners, in writing, the results of his findings. The commissioner may recommend a seasonal decrease in the posted prima facie speed limit, but in no case shall the resulting speed limit be below 20 miles per hour.

(c) There shall be only one seasonal speed limit, of a maximum duration of 4 months, in any 12-month period.

(d) Any municipality using a seasonal speed limit shall bear the cost of signage. However, the design, construction, and installation of such signage shall be approved by the department.
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. True spoke against.
Rep. Steven Smith spoke in favor.
On a division vote, 252 members having voted in the affirmative and 110 in the negative, the committee report was adopted and ordered to third reading.

SB 252, establishing a committee to study a number plate commemorating Laconia Motorcycle Week. **OUGHT TO PASS.**
Rep. Thomas C. Walsh for Transportation. The committee has retained several bills requesting special number plates that will be worked on this summer. The majority of the committee felt that this bill, which requests the study of a Laconia bike week commemorative plate, would be a helpful supplement to our future work. Vote 13-2.
On a division vote, 237 members having voted in the affirmative and 125 in the negative, the committee report was adopted and ordered to third reading.

SB 113-FN-A-L, relative to video lottery and table gaming. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Azarian for the Majority of Ways and Means. This bill as amended captures all of the elements for New Hampshire to establish a strong non-tax revenue source that will create thousands of high paying construction jobs and permanent jobs while also bringing economic development and business growth to our state. The first upfront license fee of $80 million would be paid during the next budget cycle. The first license alone is projected to raise $135 million in new annual non-tax revenue, or $270 million per biennium, with nearly 70% coming from out-of-state visitors. Additionally, we would benefit from increases in the business profits tax, the business enterprise tax, rooms & meals revenue and liquor sales. The revenue estimates we received from multiple expert sources took into consideration competition right next door. The hard work of the Gaming Regulatory Oversight Authority resulted in most of the provisions including one of the strongest regulatory oversight processes in the country. It includes reinstating revenue sharing that the legislature ceased several years ago, which could send nearly $50 million per biennium to every local community for local property tax relief. It establishes a charitable gaming protection program whereby the casino will make up any reduction in revenues any charity experiences. Testimony in support came from the NH Police Association and the NH Troopers Association, several restaurant owners, numerous charitable organizations that will be protected, construction workers and trades, both of the state teacher groups and citizens who support this non-tax revenue source. Polls show nearly 70% of NH residents support casino gambling as a revenue source. 41 states now have casino gambling. With casinos coming to Massachusetts, testimony showed that if we do not act, we may cede to Massachusetts hundreds of millions of dollars. One study even showed that if NH does nothing, current rooms and meals tax revenues may go down by $24 million a year as that money gets spent in Massachusetts rather than here in NH— note, that is a reduction of CURRENT revenue. Experts further demonstrated that the northeast market is far from saturated. Southern NH is positioned perfectly to take advantage of a population of over 2 million people within driving distance of a southern casino. NH cannot afford to sit idly by and watch as millions flow south to Connecticut and Massachusetts. SB 113 is the vehicle we need to move NH forward and regain our pre-eminence in the region. Vote 11-10.

Rep. David W. Hess for the Minority of Ways and Means. This bill is a win-win-win for the gambling interests, but a lose-lose-lose proposition for all of the rest of us. It is a great giveaway to the casino interests. Like the dozens of casino bills that have preceded it, SB 113 promises a steady stream of new revenue with no offsetting pain or harm to the state or its citizens. But just like all those previous bills, these promises cannot and will not be kept. Revenues from casinos, and specifically slot machines, are cyclical, speculative, unreliable and exaggerated. Despite the addition of new gambling sites, casino revenues across the country fell 2.8% from 2013 to 2014. The Northeast market has become saturated. The revenue estimate in the fiscal note of the bill assumed no competing casinos south of our border in Massachusetts. However, two casinos and one slots barn have already been selected there, and two are expected to be open before any casino authorized by this bill can be up and running. The N.H. Center for Public Policy predicts that competing casinos in Massachusetts may reduce projected income from a New Hampshire casino by as much as 50%. This bill authorizes two casinos in New Hampshire. As compensation for granting these monopolies, the state would receive fixed, flat licensing fees. Thereafter, the licensees are entitled to renew their monopolies every ten years, which can go on in perpetuity as long as they pay a miniscule renewal fee of just $150,000 a year. If a licensee sells its license to a third party, the state does not collect one additional cent. And the public "take" from these casinos is only 35% of gross slot machine revenues and 18% of table game proceeds. The taxpayers of New Hampshire lose on all of these counts. Many states, including Illinois and New York, have adopted a competitive licensing process requiring a minimum license fee bid. In both states, as well as in Michigan and Indiana, much higher amounts were bid and collected – generally exceeding $400 million per license. Why does this bill set fixed fees of just $80 million and $40 million? Why are the renewal fees so absurdly low? And why don't the taxpayers of New Hampshire get a share of any windfall profits a licensee will harvest if, as seems almost certain, it "flips" its license by selling it to a third party for far more than the initial fee it paid. The taxpayers also lose because the state "take" from slot machines is arbitrarily set at 35%. Earlier bills here in New Hampshire set the "take" at 55% in 2004, 50% in 2008, 49% in 2009 and 2012. Pennsylvania collects 55%

and had no shortage of applicants for its casino licenses, including Millenium. Furthermore, it is highly unlikely that any of this money – not even the initial licensing fee – will be received in the next two years. The time lines in this bill and the experience in other states suggest that an initial license is unlikely to be awarded before December 2017 at the earliest. And when the money finally does come in, future legislatures will decide where it goes. The N. H. Municipal Association is under no illusion that it will wind up in revenue sharing as SB 113 provides. It could just as well be used to fund expanded Medicaid, cut taxes, or go toward a law suit settlement. All we know for certain is that where and how it is spent will not be determined by SB 113. And any casino will be accompanied by costs and harm, both economic and social. New Hampshire jobs and the economy will lose. First, we may see jobs lost from the cannibalization of existing restaurants, entertainment venues and other places where disposable income is spent. Second, the jobs promised by a casino are at the low end of the pay scale – averaging around $11/hour, which will be much more attractive to the unemployed living in the commonwealth to our south than to our more highly paid, more fully employed New Hampshirites. There is no free money. Every dollar of public revenue and every dollar of profit sent to Las Vegas and elsewhere, is a dollar that has been lost by real people – many of whom will be our fellow New Hampshire citizens. Because while the gambling interests and their supporters talk about a "destination" casino, in fact it will be a "convenience" or "commuter" casino, as Lottery Director McIntyre recognized when he assumed in preparing the fiscal note that between 85% and 97% of all players at a N.H. casino will come from within a 60 mile/60 minute radius of the site. Casinos depend on problem gamblers who provide 40% - 60% of slot machine revenue, and 90% of industry revenue comes from slots. Yes a casino will bring some revenue to the state (albeit much less than predicted), but at what cost? The charitable gaming rooms will most likely cease to exist. Crime may increase. The social costs and more importantly the impact on our citizens who become problem and pathological gamblers and the negative impacts on our local businesses are too high a price to pay. Finally, the potential for undue influence on the integrity of our political process and government from just one licensee will be enormous. More than $2,000,000,000 in cash will have to pass through a casino each year to generate the revenue projected by gambling interests. That is more than all of the general fund expenditures throughout the state in a year. Put another way, a single casino will be the largest taxpayer to our state – sending more money to the state than the next largest 25 taxpayers combined! Can anyone doubt that the gambling industry will have incredible influence on future legislatures? And there is no turning back if this bill passes. Once casinos are in place, they will be here forever. That will change the culture and the brand of New Hampshire. Forever. And not for the better.

Majority Amendment (1396h)

Amend RSA 284-B:14, V as inserted by section 1 of the bill by replacing it with the following:

V. No category 2 gaming license shall be issued until the category 1 gaming license authorized by this chapter is issued and a performance audit has been completed by the audit division of the legislative budget assistant's office. The findings of the audit shall be presented to the joint legislative performance audit and oversight committee which shall make any recommendations to the legislature.

VI. No gaming licenses shall be issued in addition to the 2 authorized by this section until both gaming licenses authorized by this chapter are issued and a performance audit has been completed by the audit division of the legislative budget assistant's office. The findings of the audit shall be presented to the joint legislative performance audit and oversight committee which shall make any recommendations, including recommending additional licenses, to the legislature.

Amend RSA 284-B:17, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) For the category 2 license, no sooner than one year after the issuance of the category 1 license and the completion of the performance audit authorized in RSA 284-B:14, V. The request for applications shall require all gaming license applications to be submitted to the commission no later than 120 days after the publication of the request, provided, however, that an applicant who has paid the full application and investigation fees required by RSA 284-B:18 may receive one extension of up to 30 days upon a finding of good cause shown by the commission. Applications received after the deadline shall not be reviewed by the commission. The commission shall approve, approve with conditions, or deny all applications submitted in accordance with the provisions of this chapter and any applicable rules promulgated by the commission.

AMENDED ANALYSIS

This bill:

I. Establishes the gaming commission and places the lottery commission and racing and charitable gaming commission under its jurisdiction as separate divisions.

II. Allows for the selection and operation of at least 2 casinos in New Hampshire, including the operation of video slot machines and table games, subject to certain legislative approvals.

III. Establishes the gaming enforcement unit in the division of state police.

IV. Distributes proceeds from gross slot machine income and gross table game income to reimburse the gaming regulatory oversight authority for certain expenses and to pay for the operation of the gaming commission.

V. Distributes a percentage of proceeds from gross slot machine revenue and gross table game revenue to the host community, those communities abutting the host community, the host county, the department of health and human services to support addiction programs to cities and towns under the revenue sharing agreement, and the gaming regulatory fund.

VI. Establishes the gaming regulatory fund.

Rep. Hoell spoke against.

Rep. Lachance spoke in favor.

On a division vote, 141 members having voted in the affirmative and 162 in the negative, the majority committee amendment failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Hoell offered floor amendment (1468h).

Floor Amendment (1468h)

Amend the title of the bill by replacing it with the following:

AN ACT repealing the prohibition on certain types of gambling.

Amend the bill by replacing all after the enacting clause with the following:

1 Repeal. RSA 647:2, relative to prohibiting certain types of gambling, is repealed.

2 Cross-Reference Change; Gambling Machines Definition. Amend RSA 287-C:1 to read as follows:

287-C:1 Manufacture Authorized. Notwithstanding any other provision of law, gambling machines [~~as defined in RSA 647:2, II~~] ***under federal law*** may be repaired, reconditioned, sold, designed, developed and manufactured in this state, provided however that such machines shall not under any circumstances, be sold, leased, used, or made available for use, or be shipped or delivered to any location in this state or any other state whose laws prohibit the possession or use of such machines.

3 Cross-Reference Change; Definition of Games of Chance. Amend RSA 287-D:1, III to read as follows:

III. "Games of chance" means any game involving gambling [~~as defined by RSA 647:2, II~~], or any lottery prohibited by RSA 647:1, but shall not include any game involving the use of a slot machine or any other device in the nature of a slot machine, 50/50 raffles as defined in RSA 287-A:1, III, or ice-out contests as defined in RSA 287-D:1, IV.

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill repeals the prohibition on certain types of gambling.

Rep. Hoell spoke in favor.

Rep. Rogers spoke against.

Rep. Hodgdon requested a roll call; sufficiently seconded.

YEAS 103 - NAYS 259

YEAS - 103

BELKNAP

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Howard, Jr., Raymond
LeBreche, Shari	Luther, Robert	Sylvia, Michael	Vadney, Herbert

CARROLL

Avellani, Lino	Comeau, Ed	McCarthy, Frank	McConkey, Mark

CHESHIRE

McConnell, Jim
Robertson, Timothy

COOS

Rideout, Leon

GRAFTON

Bailey, Brad
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Christiansen, Lars
Cohen, Alan
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Ferreira, Elizabeth
Fromuth, Bart
Goulette, William
Hogan, Edith
Katsiantonis, Thomas
Lachance, Joseph
Martel, Andre
McLean, Mark
Murphy, Keith
Notter, Jeanine
Ober, Russell
Parison, James
Rice, Kimberly
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Stepanek, Stephen
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abramson, Max
Bush, Carol
Chase, Francis
Emerick, J. Tracy
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Lundgren, David
Oligny, Jeffrey
Osborne, Jason
Schroadter, Adam
Spillane, James
Tamburello, Daniel
Thomas, Douglas
True, Chris
Wood, David

STRAFFORD

Beaudoin, Steven
Berube, Roger
Bickford, David
Cheney, Catherine
DeLemus, Susan
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Parsons, Robbie
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Converse, Larry
Laware, Thomas
Rollins, Skip

NAYS - 259

BELKNAP

Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Hurt, George
Spanos, Peter
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Cordelli, Glenn
Crawford, Karel
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Moynihan, Wayne
Rappaport, Laurence
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Duane
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Christie, Rick
Cote, David
Danielson, David
DiSilvestro, Linda
Edwards, Elizabeth
Estevez, Eric
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Long, Patrick
Manley, Jonathan
Marston, Dick
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Moore, Josh
O'Brien, Michael
O'Brien, William
O'Neil, William
Ober, Lynne
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Simpson, Alexis
Sweeney, Joe
Sytek, John
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Gray, James	Horrigan, Timothy
Kaen, Naida	Leeman, Don	Mullen, John	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew	Smith, Steven

and floor amendment (1468h) failed.

The question now being adoption of the motion of Ought to Pass.
Rep. Zaricki offered floor amendment (1472h).

Floor Amendment (1472h)

Amend RSA 284-B:14 as inserted by section 1 of the bill by replacing it with the following:

284-B:14 Number of Gaming Licenses.

I. The commission may award category 1 gaming licenses and category 2 gaming licenses, as defined in paragraphs II and III of this section.

II. The category 1 license shall authorize:

(a) The operation of not more than 160 table games, provided that the licensee's application shall propose operation of at least 80 table games; and

(b) The operation of no more than 3,500 slot machines, provided that the licensee's application shall propose operation of at least 2,000 slot machines.

III. The category 2 license shall authorize:

(a) The operation of no more than 80 table games, provided that the licensee's application shall propose operation of at least 25 table games; and

(b) The operation of no more than 1,500 slot machines, provided that the licensee's application shall propose operation of at least 750 slot machines.

IV. No entity shall hold both the category 1 and category 2 licenses.

AMENDED ANALYSIS

This bill:

I. Establishes the gaming commission and places the lottery commission and racing and charitable gaming commission under its jurisdiction as separate divisions.

II. Allows for the selection and operation of casinos in New Hampshire, including the operation of video slot machines and table games.

III. Establishes the gaming enforcement unit in the division of state police.

IV. Distributes proceeds from gross slot machine income and gross table game income to reimburse the gaming regulatory oversight authority for certain expenses and to pay for the operation of the gaming commission.

V. Distributes a percentage of proceeds from gross slot machine revenue and gross table game revenue to the host community, those communities abutting the host community, the host county, the department of health and human services to support addiction programs to cities and towns under the revenue sharing agreement, and the gaming regulatory fund.

VI. Establishes the gaming regulatory fund.

Rep. Fisher spoke in favor and yielded to questions.
Rep. Schleien spoke in favor.
Reps. Lachance and Eaton spoke against.
Rep. Azarian requested a roll call; sufficiently seconded.

YEAS 87 - NAYS 279

YEAS - 87

BELKNAP

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Howard, Jr., Raymond
Luther, Robert	Sylvia, Michael	Vadney, Herbert	

CARROLL

Avellani, Lino | Comeau, Ed | McCarthy, Frank

CHESHIRE

McConnell, Jim | Roberts, Kris | Robertson, Timothy

COOS

Rideout, Leon

GRAFTON

Higgins, Patricia | Ingbretson, Paul | Johnson, Eric

HILLSBOROUGH

Adams, Christopher | Ammon, Keith | Boehm, Ralph | Bouldin, Amanda
Burt, John | Christensen, Chris | Donovan, Daniel | Eastman, Eric
Edwards, Elizabeth | Ferreira, Elizabeth | Fromuth, Bart | Gould, Linda
Goulette, William | Hogan, Edith | McLean, Mark | Moore, Josh
Murphy, Keith | O'Brien, William | Ober, Russell | Rice, Kimberly
Schleien, Eric | Scontsas, Lisa | Seidel, Carl | Simmons, Tammy
Stepanek, Stephen | Sullivan, Victoria | Sweeney, Shawn | Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael | French, Harold | Hess, David | Hill, Gregory
Hoell, J.R. | Horn, Werner | Kuch, Bill | Martin, John
McGuire, Carol | McGuire, Dan | Parent, Jason | Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abramson, Max | Emerick, J. Tracy | Hagan, Joseph | Harris, Jeffrey
Itse, Daniel | Kappler, Lawrence | Kellogg, Shem | Osborne, Jason
Rice, Frederick | Schroadter, Adam | Spillane, James | Tamburello, Daniel
Tasker, Kyle | True, Chris | Vose, Michael

STRAFFORD

Beaudoin, Steven | Cheney, Catherine | DeLemus, Susan | Groen, Warren
Hannon, Joseph | Jones, Laura | Kaczynski, Jr., Thomas | Knowles, Robert
Turcotte, Leonard | Whitehouse, Joshua | Wuelper, Kurt

SULLIVAN

Bridge, Ernest | Converse, Larry

NAYS - 279

BELKNAP

Fields, Dennis | Fraser, Valerie | Gallagher, Brian | Hurt, George
LeBreche, Shari | Spanos, Peter | Tilton, Franklin

CARROLL

Buco, Thomas | Butler, Edward | Chandler, Gene | Cordelli, Glenn
Crawford, Karel | McConkey, Mark | Nelson, Bill | Parker, Harold
Schmidt, Stephen | Ticehurst, Susan | Umberger, Karen

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Bordenet, John
Chase, Cynthia | Eaton, Daniel | Emerson, Susan | Hunt, John
Johnsen, Gladys | Mann, John | Parkhurst, Henry | Pearson, William
Phillips, Larry | Sad, Tara | Shepardson, Marjorie | Sterling, Franklin
Tatro, Bruce | Tilton, Benjamin | Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Hull, Robert	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Byron, Frank	Christiansen, Lars	Christie, Rick	Cohen, Alan
Cote, David	Danielson, David	DiSilvestro, Linda	Edelblut, Frank
Estevez, Eric	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Hansberry, Daniel	Hansen, Peter	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Hinch, Richard	Infantine, William
Jack, Martin	Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Leishman, Peter	Long, Patrick
Manley, Jonathan	Marston, Dick	Martel, Andre	McCarthy, Peggy
McClarren, Donald	McNamara, Richard	Notter, Jeanine	O'Brien, Michael
O'Neil, William	Ober, Lynne	Ohm, Bill	Palmer, Barry
Parison, James	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Shattuck, Gilman
Shaw, Barbara	Smith, Gregory	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Souza, Kathleen	Straight, Phillip	Sullivan, Daniel
Takesian, Charlene	Ulery, Jordan	Walsh, Robert	Williams, Kermit
Wolf, Terry	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Long, Douglas
Luneau, David	MacKay, James	Marple, Richard	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Bates, David	Belanger, Ronald	Berrien, Skip	Borden, David
Bush, Carol	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cushing, Robert
DeSimone, Debra	Devine, James	Doucette, Fred	Duarte, Joe
Elliott, Robert	Ferrante, Beverly	Fesh, Robert	Francese, Paula
Friel, William	Gannon, William	Gordon, Pamela	Gordon, Richard
Griffin, Mary	Guthrie, Joseph	Heffron, Frank	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Kolodziej, Walter	Lovejoy, Patricia
Lundgren, David	Major, Norman	Manning, John	Matthews, Carolyn
McBeath, Rebecca	McKinney, Betsy	McMahon, Charles	Milz, David

Moody, Marcia	Nigrello, Robert	O'Connor, John	Oligny, Jeffrey
Packard, Sherman	Pantelakos, Laura	Potucek, John	Priestley, Anne
Prudhomme-O'Brien, Katherine	Simpson, Alexis	Sweeney, Joe	Sytek, John
Thomas, Douglas	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Kaen, Naida	Leeman, Don
Mullen, John	Parsons, Robbie	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Laware, Thomas	O'Hearne, Andrew	Oxenham, Lee	Rollins, Skip
Schmidt, Andrew	Smith, Steven		

and floor amendment (1472h) failed.

The question now being adoption of the motion of Ought to Pass.

MOTION TO SUSPEND HOUSE RULES

Rep. Abramson moved that House Rules be so far suspended as to allow consideration at the present time of a non-germane floor amendment.
Rep. Abramson spoke in favor.
Motion failed lacking the necessary two-thirds vote.

The question now being adoption of the motion of Ought to Pass.
Reps. Andrew Schmidt, Cheney and Hess spoke against.
Reps. Lovejoy, Backus and Dan McGuire spoke against and yielded to questions.
Reps. Estevez, Webb, Lachance and Azarian spoke in favor.
Reps. Weyler and Cilley spoke in favor and yielded to questions.

YEAS 156 - NAYS 208

YEAS - 156

BELKNAP

Fields, Dennis			

CARROLL

Buco, Thomas	Butler, Edward	McConkey, Mark	Schmidt, Stephen
Umberger, Karen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Eaton, Daniel
Johnsen, Gladys	Sad, Tara	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Gionet, Edmond	Ladd, Rick	Massimilla, Linda	

HILLSBOROUGH

Balcom, John	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Byron, Frank	Christensen, Chris	Christiansen, Lars

Cote, David
Flanagan, Jack
Gidge, Kenneth
Griffin, Barbara
Herbert, Christopher
Lachance, Joseph
Marston, Dick
McNamara, Richard
Ober, Lynne
Pellegrino, Anthony
Scontsas, Lisa
Soucy, Timothy
Takesian, Charlene
Zaricki, Nick
DiSilvestro, Linda
Forest, Armand
Goley, Jeffrey
Guerette, C. Lee
Hinch, Richard
Leishman, Peter
Martel, Andre
O'Brien, Michael
Ober, Russell
Pierce, David
Shaw, Barbara
Stepanek, Stephen
Ulery, Jordan
Donovan, Daniel
Freitas, Mary
Gonzalez, Carlos
Haefner, Robert
Infantine, William
Long, Patrick
McCarthy, Peggy
O'Brien, William
Ohm, Bill
Proulx, Mark
Smith, Gregory
Straight, Phillip
Walsh, Robert
Estevez, Eric
Gagne, Larry
Gorman, Mary
Heath, Mary
Jeudy, Jean
Manley, Jonathan
McClarren, Donald
O'Neil, William
Palmer, Barry
Rice, Kimberly
Snow, Kendall
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Martin, John
Shurtleff, Stephen
Doherty, David
Patten, Dick
Turcotte, Alan
French, Harold
Rogers, Katherine
Walsh, Thomas
Kotowski, Frank
Schuett, Dianne

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Chase, Francis
Devine, James
Ferrante, Beverly
Griffin, Mary
Manning, John
O'Connor, John
Priestley, Anne
Webb, James
Wood, David
Azarian, Gary
Cahill, Michael
Chirichiello, Brian
Doucette, Fred
Fesh, Robert
Guthrie, Joseph
McMahon, Charles
Oligny, Jeffrey
Sweeney, Joe
Welch, David
Barnes, Arthur
Cali-Pitts, Jacqueline
Cushing, Robert
Duarte, Joe
Friel, William
Kolodziej, Walter
Milz, David
Pantelakos, Laura
Sytek, John
Weyler, Kenneth
Bates, David
Cardon, G. Thomas
DeSimone, Debra
Elliott, Robert
Gannon, William
Lundgren, David
Nigrello, Robert
Potucek, John
Tasker, Kyle
Woitkun, Steven

STRAFFORD

Baber, William
Gray, James
Rollo, Deanna
Ward, Kenneth
Berube, Roger
Horrigan, Timothy
Sprague, Dale
Cilley, Jacalyn
Leeman, Don
Stevens, Audrey
Gardner, Janice
Mullen, John
Verschueren, James

SULLIVAN

Cloutier, John
Laware, Thomas
Converse, Larry
O'Hearne, Andrew
Gagnon, Raymond
Rollins, Skip
Grenier, James
Smith, Steven

NAYS - 208

BELKNAP

Aldrich, Glen
Gallagher, Brian
Luther, Robert
Vadney, Herbert
Dumais, Russell
Howard, Jr., Raymond
Spanos, Peter
Fisher, Robert
Hurt, George
Sylvia, Michael
Fraser, Valerie
LeBreche, Shari
Tilton, Franklin

CARROLL

Avellani, Lino
Crawford, Karel
Ticehurst, Susan
Chandler, Gene
McCarthy, Frank
Comeau, Ed
Nelson, Bill
Cordelli, Glenn
Parker, Harold

CHESHIRE

Bordenet, John
Mann, John
Phillips, Larry
Sterling, Franklin
Chase, Cynthia
McConnell, Jim
Roberts, Kris
Emerson, Susan
Parkhurst, Henry
Robertson, Timothy
Hunt, John
Pearson, William
Shepardson, Marjorie

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Cooney, Mary	Darrow, Stephen
Ford, Susan	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Maes, Kevin
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Backus, Robert	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Christie, Rick	Cohen, Alan	Danielson, David	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Ferreira, Elizabeth	Fromuth, Bart
Gargasz, Carolyn	Gould, Linda	Goulette, William	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Hogan, Edith	Hopper, Gary
Jack, Martin	Katsiantonis, Thomas	Kurk, Neal	LeBrun, Donald
McLean, Mark	Moore, Josh	Murphy, Keith	Notter, Jeanine
Parison, James	Peterson, Ken	Porter, Marjorie	Roberts, Carol
Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Schleien, Eric	Seidel, Carl	Shattuck, Gilman	Simmons, Tammy
Smith, Timothy	Souza, Kathleen	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy	Wolf, Terry	Woodbury, David	

MERRIMACK

Bartlett, Christy	Bradley, Paula	Brewster, Michael	Carson, Clyde
Ebel, Karen	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hess, David	Hill, Gregory	Hirsch, Geoffrey
Hoell, J.R.	Horn, Werner	Karrick, David	Kenison, Linda
Kidder, David	Kuch, Bill	Long, Douglas	Luneau, David
MacKay, James	Marple, Richard	McGuire, Carol	McGuire, Dan
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rice, Harold (Chip)
Saunderson, George	Seaworth, Brian	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Berrien, Skip	Borden, David
Bush, Carol	Christie, Andrew	Emerick, J. Tracy	Francese, Paula
Gordon, Pamela	Gordon, Richard	Hagan, Joseph	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Lovejoy, Patricia
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
Moody, Marcia	Osborne, Jason	Packard, Sherman	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Simpson, Alexis	Spillane, James
Tamburello, Daniel	Thomas, Douglas	True, Chris	Vose, Michael
Ward, Gerald	Ward, Joanne		

STRAFFORD

Beaudoin, Steven	Bickford, David	Bixby, Peter	Burton, Wayne
Cheney, Catherine	DeLemus, Susan	DiSesa, Len	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Kaen, Naida
Knowles, Robert	Parsons, Robbie	Pitre, Joseph	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Treleaven, Susan
Turcotte, Leonard	Wall, Janet	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Gottling, Suzanne	Oxenham, Lee	Schmidt, Andrew

and the motion of Ought to Pass failed.

Rep. Abrami moved the minority committee report of Inexpedient to Legislate.
On a division vote, with 223 members having voted in the affirmative and 141 in the negative, the minority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hess moved that the House reconsider its action whereby, on a division vote of 223-141, the House adopted the minority committee report of Inexpedient to Legislate on **SB 113-FN-A-L,** relative to video lottery and table gaming.
Rep. Hess spoke against.
Motion failed.

REGULAR CALENDAR CONT'D

SB 154, authorizing the department of safety to set fees for motorcycle rider education programs. **OUGHT TO PASS.**
Rep. Bill H. Ohm for Ways and Means. Fees for this popular program are set under statute by the department of public safety for non-residents. No mention is made of fees for residents. This bill codifies the current practice of setting fees for residents. The bill is supported by motorcycle dealers who often purchase the education program for their customers. Approximately 3,000 riders have participated to date. Vote 19-0.
Committee report adopted and ordered to third reading.

SB 211-FN, relative to taxation of employee leasing companies under the business enterprise tax. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patrick F. Abrami for Ways and Means. This bill, as amended by the committee, clarifies the tax situation of businesses that lease employees. Testimony indicated that many smaller businesses require special expertise in areas such as regulatory compliance, but do not desire, or are not of a size to hire full time employees. Employee leasing companies have filled that need. The question then arises as to who is liable for the BET of the leased employee. Current law charges the tax to the leasing company. Logic says the company actually using the employee should be paying the BET and gaining the credit to their BPT as originally intended by the legislature. This bill clarifies legislative intent by allowing the client company to pay the BET. Vote 19-0.

Amendment (1240h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Business Enterprise Tax; Employee Leasing Companies. Amend RSA 77-E by inserting after section 13 the following new section:

77-E:13-a Employee Leasing Companies.

I. For the purposes of the provisions of RSA 277-B:9, I(h), an employee leasing company and client company may elect to make the client company solely responsible for paying the tax imposed by RSA 77-E, and include in the client company's compensation portion of the enterprise value tax base those wages paid to the leased employees.

II. If the employee leasing company and the client company make such an election, the client company shall be eligible for the credit provided in RSA 77-A:5, X.

III.(a) In order to make the election under paragraph I, the client company and the employee leasing company shall file the forms required by the department pursuant to rules adopted by the commissioner under RSA 541-A.

(b) For an election to be effective for any given tax year, forms required to be filed with the commissioner shall be filed prior to the end of the employee leasing company's tax year.

(c) An election under this section shall remain in effect until the employee leasing company and the client company both notify the department of the termination of an election described in paragraph I on forms required by the department pursuant to rules adopted by the commissioner under RSA 541-A.

IV. For purposes of this section, the terms "employee leasing company" and "client company" shall have the same meaning as in RSA 277-B:2.

2 New Section; Employee Leasing Companies; Tax Credits. Amend RSA 277-B by inserting after section 17 the following new section:

277-B:17-a Tax Credits and Other Incentives. For purposes of determination of tax credits, grants, or any other economic incentives provided by this state or other government entity that are based on employment, leased employees shall be deemed employees solely of the client company if an election is made pursuant to RSA 77-E:13-a. A client company shall be entitled to the benefit of any tax credit, economic incentive, or other benefit arising as the result of the employment of leased employees of such client company. Notwithstanding that the employee leasing company is the W-2 reporting employer, the client company shall continue to qualify for such benefit, incentive, or credit. If a grant or amount of any such incentive is based on the number of employees, then each client company shall be treated as employing only those leased employees co-employed by the client company. Leased employees working for other client companies of the employee leasing company shall not be counted together. Each employing leasing company shall provide, upon request by a client company, state agency, or department responsible for administration of any such tax credit or economic incentive, employment information reasonably required by such agency or department and necessary to support any request, claim, application, or other action by a client company seeking any such tax credit or economic incentive.

3 Employee Leasing Companies; Co-Employment; Election. Amend RSA 277-B:9, I(h) to read as follows:

(h) Paying the tax imposed by RSA 77-E and inclusion in its compensation portion of the base tax those wages paid to its leased employees, ***unless an election is made pursuant to RSA 77-E:13-a.***

4 Applicability. The provisions of this act shall apply to taxable periods beginning on or after January 1, 2016.

5 Effective Date. This act shall take effect July 1, 2015.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 13, relative to the disposition of dedicated funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan McGuire for Finance. This bill purports to require a two-thirds vote of the legislature in order to repurpose the money in (raid) a dedicated fund. Unfortunately, the legislature cannot be constrained by law in this way. Any subsequent piece of legislation, passed by a simple majority vote, could repeal or suspend this provision. To accomplish this goal a constitutional amendment would be needed. These have been tried in the past, such as last year's CACR 19, which a House interim study did not recommend for future legislation. They recognized the inconsistency in creating a dedicated fund with a majority vote, but requiring a two-thirds vote to terminate it. For all these reasons, SB 13 is Inexpedient to Legislate. Vote 22-0.

Rep. Dan McGuire spoke in favor and yielded to questions.

Rep. Bixby spoke against and requested a roll call; not sufficiently seconded.

On a division vote, 289 members having voted in the affirmative and 51 in the negative, the committee report was adopted.

SB 243, relative to nonpublic sessions under the right-to-know law. **OUGHT TO PASS.**

Rep. Kurt F. Wuelper for Judiciary. Currently the right-to-know law allows nonpublic sessions for suits against towns. This bill extends the right to hold nonpublic session to cases in which the public body is the plaintiff. The committee concurred that discussion of legal strategy or potential settlements should be allowed to remain confidential through nonpublic meetings. Vote 15-1.

Rep. Fromuth spoke against.

MOTION TO LAY ON THE TABLE

Rep. Sylvia moved that **SB 243,** relative to nonpublic sessions under the right-to-know law, be laid on the table.

On a division vote, 160 members having voted in the affirmative and 176 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass.

Rep. Wuelper spoke in favor.

On a division vote, 265 members having voted in the affirmative and 72 in the negative, the committee report was adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Andrew Schmidt moved that the House reconsider its action whereby, on a division vote of 186-146, the House adopted the motion of Inexpedient to Legislate on **SB 69,** establishing a commission to study social impact bond funding for early childhood education for at-risk students.

Rep. Gile spoke in favor.

Rep. Packard spoke against.

On a division vote, 144 members having voted in the affirmative and 189 in the negative, the motion failed.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, May 6, 2015 at 10:00 a.m.

Motion adopted.

LATE SESSION

Third reading and final passage

SB 53, repealing the interagency coordinating council for women offenders and relative to the membership of the interbranch criminal and juvenile justice council.

SB 72, establishing a commission to study the use of police personnel files as they relate to the Laurie List.

SB 92, establishing a committee to study public access to political campaign information.

SB 251, relative to regulations for commercial composters.

SB 90, relative to the judicial branch budget.

SB 258-FN, changing the timing of determination of weighted case units for the purpose of calculating the judicial branch budget request and judicial salaries.

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules.

SB 78, relative to original and youth operators' licenses.

SB 171, establishing a committee to study issues concerning parking for those with walking disabilities.

SB 231, relative to the month of inspection for municipal fleets.

SB 134-FN, relative to the escheat of United States savings bonds.

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver.

SB 236-FN, relative to alcohol ignition interlock requirements.

SB 186, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund.

SB 249, relative to the Hampton and Exeter district divisions of the circuit court.

SB 230-FN-L, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic.

SB 252, establishing a committee to study a number plate commemorating Laconia Motorcycle Week.

SB 154, authorizing the department of safety to set fees for motorcycle rider education programs.

SB 211-FN, relative to taxation of employee leasing companies under the business enterprise tax.

SB 243, relative to nonpublic sessions under the right-to-know law.

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent of the House regarding Colonel Charles Shelton, the last official prisoner of war from the Vietnam War.

Rep. Notter addressed the House.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Motion adopted.

The House recessed at 1:40 p.m.

RECESS

(Rep. Packard in the Chair)

ENROLLED BILL AMENDMENT

HB 408, making a technical correction relative to fees for chiropractors.

Amendment (1407-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT making a technical correction relative to fees for chiropractors and relative to the licensure of audiologists.

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 175, 275 and 310 and Senate Bills numbered 12, 16, 33, 43, 44, 47, 48, 54, 65, 71, 91, 94, 101, 103, 143, 166, 168, 172, 173, 182, 183, 195, 208, 222 and 259.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Welch in the Chair)

ENROLLED BILL AMENDMENT

SB 11, recodifying the Uniform Interstate Family Support Act. (Amendment printed SJ 4-30-15) Adopted.

SENATE MESSAGES

CONCURRENCE

HB 108-FN, relative to sealing nonpublic session minutes.
HB 109-FN-L, relative to the testing of backflow devices.
HB 118, relative to vehicular assault.
HB 119, establishing the John G. Winant Memorial Commission.
HB 121, making a technical correction to the negligent driving statute.
HB 130, relative to the use of blue lights on emergency vehicles.
HB 136, prohibiting tanning facilities from tanning persons under 18 years of age.
HB 146, relative to the board of dental examiners.
HB 147, relative to the homestead exemption amount.
HB 148, limiting the authority of delegates to Article V conventions.
HB 149, relative to qualifications for the office of county commissioner.
HB 151, establishing a committee to study end-of-life decisions.
HB 155, relative to municipal contracts for police chief.
HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association.
HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety.
HB 178, relative to exclusions from seasonal highway weight limit regulations.
HB 184, relative to travel insurance.
HB 193, relative to utility assessments for the use of village district roads.
HB 200, allowing homestead food operations exempt from licensure to sell homestead food products at retail food stores.
HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services.
HB 205-L, relative to lending practices of energy efficiency and clean energy districts.
HB 254, relative to exceptions to restrictions on boating.
HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act.
HB 326, relative to the board of registration of medical technicians.
HB 336, relative to seasons for hunting by crossbow.
HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration.

HB 362, relative to the reliability of the electric grid.
HB 422-FN, relative to certification of death certificates by physician assistants.
HB 423, designating the bobcat as the New Hampshire state wildcat.
HB 478, relative to rulemaking for market conduct record retention and production.
HB 481, relative to commercial insurance.
HB 482, relative to the insurance claims adjuster definition.
HB 492, relative to military and historic re-enactments and commemorations.
HB 497, relative to interference with a cemetery burial plot.
HB 503, relative to presidential primary ballots.
HB 520, establishing privacy protections for student online personal information.
HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law.
HB 523, relative to the jurisdiction of the penalty appeal board.
HB 526, relative to transfers of appropriations in Carroll county.
HB 545, relative to eligibility for office.
HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire.
HB 604, relative to the use of mixed use school busses by special education pupils.
HB 607, relative to fees for carrying a concealed firearm.
HB 610, relative to a school board vote on the reassignment of a pupil.
HB 621-FN, establishing fines for violations of the "wide berth" laws.
HB 644-FN, relative to regulation of small loans, title loans, and payday loans.
HB 664-FN, consolidating existing oil pollution funds.

NONCONCURRENCE

HB 124, relative to the implementation of new college and career readiness standards.
HB 150, establishing a commission to study the legalization, regulation, and taxation of marijuana.
HB 272, designating the Ham Branch River watershed in Easton as a protected river, and exempting portions of the Ham Branch River watershed from the shoreland water quality protection act.
HB 554-FN, relative to sales of beer in refillable containers.

RE-REFERRED TO COMMITTEE

HB 169, relative to table stakes poker.
HB 192, relative to the valuation of utility property.
HB 195, relative to continuing care communities.
HB 331, relative to absences among selectmen on election day.
HB 353, relative to the governance of condominium unit owners' associations.
HB 555, relative to participation of chartered public school students in school district co-curricular activities.

LAID ON THE TABLE

HB 227, relative to eminent domain on public lands.
HB 364, relative to renewal fees administered by the office of professional licensing.
HB 411, prohibiting the payment of subminimum wages to persons with disabilities.
HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union.

CONCURRENCE WITH AMENDMENTS

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants.
SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries.
SB 70, relative to the processing of lobster tails.
SB 80, relative to the state trails plan and establishing a committee on rail trails.
SB 98, relative to third party review required by the planning board.
SB 148, relative to the shellfish inspection program.

RECESS

(Speaker Jasper in the Chair)

Rep. Flanagan moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 15

Wednesday, May 6, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, the Reverend Doctor F. Daniel Osgood, Pastor at Greenfield Congregational Covenant Church.

Esteemed members of the New Hampshire Legislature, will you please join with me in prayer? Holy God, You are compassionate and merciful and we are Your servants. Your prophet Micah has written, Does the Lord take delight in thousands of rams, in ten thousand rivers of oil? Shall I present my firstborn for my rebellious acts, the fruit of my body for the sin of my soul? He has shown you, O mortal, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with Your God.

Give this elected body courage to act justly and to love mercy and to walk humbly with You, O God. To see new possibilities and to look forward with hope to the future of this great State of New Hampshire. May this legislative body come to see each day as a new day to do Your will and to do that which is required. A new day in which Your spirit is poured forth upon the earth and all Your children will be blessed. So, today, with abiding faith and calm assurance, we invoke Your presence on these proceedings. You are the Creator and Father of us all. In Your divine creativeness, You have made us, each and every one, an image of You. You are our Redeemer and Liberator. Companion to the poor, You have promised to lift up the powerless and cast down the powerful, to gather the outcasts, heal the brokenhearted, and bind up their wounds. You have proclaimed release to the captives, recovery of sight to the blind, and to let the oppressed go free. You sustain and comfort us, filling us with Your Holy Spirit, reminding us that what we have done unto the least of us, we have done unto You. Might a few drops of Your favor fall upon us today, giving these elected representatives of Your people courage and wisdom, that they might be instruments of Your peace, sowing love where there is hatred, pardon where there is injury, faith, instead doubt, hope, not despair, light to cast away the darkness and where there is sadness, joy. Fill us with new life today. We, Your humble people, beseech You. We pray. Amen.

Representative John Mullen, member from Middleton, led the Pledge of Allegiance.

The National Anthem was sung by Christian Moreno, a student at Nashua High School North.

LEAVES OF ABSENCE

Reps. Chris Brown, Hurt, Major, Parsons, Russell, Sanders and Tatro, the day, illness.

Reps. Adams, Deloge, DiFranco, Eaton, Flanders, Francese, Friel, Gargasz, Goley, Barbara Griffin, Higgins, Hoell, Mann, Milz, Nigrello, O'Hearne, Lynne Ober, Russell Ober, Oligny, Pearson, Chip Rice, Joe Sweeney, Takesian, Tholl and Kenneth Ward, the day, important business.

Rep. Martha Hennessey, the day, illness in the family.

Rep. Rokas, the day, death in the family.

INTRODUCTION OF GUESTS

Residents of the Richard Brown House, guests of Reps. Moffett and Saunderson. Carlo Nittoli, Gary Cummins, and Louis Mroz, spouse and guests of Rep. Verschueren. Kim Moreno, and Deirdre Coutu, mother and grandmother of the singer, Ricky DiCillo, and members of The Boys and Girls Club of Greater Nashua, guests of Rep. Eastman. Fourth graders from Epping Elementary School, guests Reps. Vose and Harris. Fourth graders from Paul Elementary School in Wakefield, guests of Reps. Avellani, Comeau, Nelson and Wright.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 122, relative to advertising of liquor or beverages. (Amendment printed SJ 4-9-15)

Rep. Hunt moved that the House concur and spoke in favor.

Motion adopted.

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school. (Amendment printed SJ 4-9-15)
Rep. Ladd moved that the House concur and spoke in favor.
Motion adopted.

HB 140, relative to appointment of inspectors of election. (Amendment printed SJ 4-9-15)
Rep. Hoelzel moved that the House concur and spoke in favor.
Motion adopted.

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire. (Amendment printed SJ 4-9-15)
Rep. Andrew Christie moved that the House concur and spoke in favor.
Motion adopted.

HB 363, relative to Lyme disease awareness. (Amendment printed SJ 4-30-15)
Rep. Andrew Christie moved that the House concur and spoke in favor.
Motion adopted.

HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers. (Amendment printed SJ 4-9-15)
Rep. Andrew Christie moved that the House concur and spoke in favor.
Motion adopted.

HB 306, relative to membership of the wetlands council and the water council. (Amendment printed SJ 4-9-15)
Rep. Chris Christensen moved that the House concur and spoke in favor.
Motion adopted.

HB 382, establishing a committee to study facilitating private investment in energy efficiency and renewable energy. (Amendment printed SJ 4-9-15)
Rep. Introne moved that the House concur and spoke in favor.
Motion adopted.

HB 134, establishing a committee to study the use of motorized scooter chairs on roadways and sidewalks. (Amendment printed SJ 4-9-15)
Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 196, requiring the removal of identifying features from vehicles formerly used as ambulances. (Amendment printed SJ 4-9-15)
Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

COMMUNICATION

May 6, 2015

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:
Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:
Rockingham County District No. 13
Dennis Green, r, Hampstead (22 Corliss Way) 03841

Sincerely,
William M. Gardner
Secretary of State

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority, removed by Rep. Steven Smith.

Consent Calendar adopted.

SB 159, reinstating the division for children, youth and families advisory board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel C. Itse for Children and Family Law. As amended, this bill re-establishes legislative authority for the advisory board for the department of children, youth and families (DCYF). The new embodiment distributes the appointing authority between the governor, senate president and speaker of the house. It provides for participation of members of families affected by DCYF and ensures representation of every county. Vote 11-0.

Amendment (1365h)

Amend the bill by replacing section 1 with the following:

1 New Section; Services for Children, Youth and Families; General Provisions; Advisory Board Reestablished. Amend RSA 170-G by inserting after section 6 the following new section:

170-G:6-a Advisory Board.

I. There is hereby established a board to advise the department of health and human services on services for children, youth, and families. The board shall consist of 12 members and such additional members as may be necessary to comply with federal regulations for the acceptance of federal funds or to ensure representation of every county. Each member shall serve a term of 3 years. A member shall continue to serve until a successor is appointed in the same manner as the original appointment. The board shall be representative of persons from community youth service agencies; from the juvenile justice field, such as law enforcement, probation, police, courts, and attorneys; and from appropriate professional fields such as psychology, social services, education, and health. Members of the board shall serve without compensation but shall receive mileage payments at the state employee rate within the limits of funds appropriated to the department.

II. Members of the board shall be appointed in the following manner:

(a) The governor shall appoint 4 members, no 2 of whom shall be from the same county.

(b) The senate president shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of children, youth and families.

(c) The speaker of the house shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of children, youth and families.

(d) Any additional members shall be recommended by the commissioner and appointed by the governor and council.

SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cynthia L. Chase for Children and Family Law. This bill as amended sets the due date of the final report of the study commission to June 30, 2016. The bill clarifies the burden of proof and requires the department of health and human services to seek a motion to enter a home as part of a child abuse or neglect investigation in certain circumstances. The bill also establishes a commission for review of child abuse fatalities. Vote 11-0.

Amendment (1388h)

Amend RSA 169-C:39-k, V as inserted by section 4 of the bill by replacing it with the following:

V. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015. The commission shall submit a final report of its findings and recommendations on or before June 30, 2016.

Amend paragraph II as inserted by section 6 of the bill by replacing it with the following:

II. Section 5 of this act shall take effect June 30, 2016.

SB 153, relative to the accessibility of criminal records. **OUGHT TO PASS WITH AMENDMENT.** Rep. Arthur E. Barnes for Criminal Justice and Public Safety. As amended, the bill does 4 (four) things: 1) It allows agencies in compliance with 15 U.S.C. section 1681 conducting employment screening services to request a copy of the individual criminal record of a candidate being screened for employment. 2) It requires any other individual or a public or private agency requesting to receive a copy of the criminal records of another who has provided authorization in written duly signed and notarized. 3) It prevents the creation of an online criminal record database without due legislative process. 4) It eliminates the creation of a revenue source outside the legislative process. Vote 17-0.

Amendment (1341h)

Amend RSA 106-B:7, III-IV as inserted by section 1 of the bill by replacing them with the following:

III. The director may, within the limits of the appropriation for the division, employ such civilian employees as may be necessary and determine their duties, ***and provide such resources as may be necessary***. The director may require any ***such*** employee to give bond.

IV. The director may provide criminal record information in electronic form once the division has the technological capability to do so.

Amend RSA 106-B:14 as inserted by section 2 of the bill by replacing it with the following:

I. With the approval of the commissioner of safety, the director shall adopt rules under RSA 541-A as may be necessary to secure records and other information relative to persons who have been convicted of a felony, misdemeanor or violation within the state, or who are known to be habitual criminals, or who have been placed under arrest in criminal proceedings. The term "violation"[;] as used in this section shall apply only to violations committed under title LXII. Notwithstanding RSA 91-A, [~~such~~] records and ***other*** information ***secured by the director under this section***, including but not limited to dissemination logs, shall not be [~~open to the inspection of any person except those who may be authorized to inspect the same by the director;~~] ***disclosed to any individual or public or private agency except*** as follows:

(a) Law enforcement personnel may request and receive any information documenting an individual's contact with the criminal justice system, including data regarding identification, arrest or citation, arraignment, judicial disposition, custody and supervision.

(b) Any individual may request and receive, ***for a fee,*** a copy of his or her own criminal conviction and arrest records and related information.

(c) Any individual or any public or private agency may request and receive a copy of the criminal conviction record of another who has provided authorization in writing, duly signed and notarized, explicitly allowing the requestor to receive such information.

(d) An employee of or person under contract to the state of New Hampshire to whom such disclosure ***of information*** is necessary in connection with the processing, storage, and transmission of such information, or the programming, repair, maintenance, testing, or procurement of equipment used to process, store, or transmit such information ***may have access to such information***.

(e) A consumer reporting agency subject to and complying with the requirements of 15 U.S.C. Section 1681, et seq., conducting employment screening services, including the screening of independent contractors, may request and receive a copy of the state criminal conviction record for a felony, misdemeanor, or violation of a candidate being screened for employment purposes or as an independent contractor.

The clerks of the superior and [~~municipal~~] ***circuit*** courts, or if there is no clerk the justice thereof, sheriffs, deputy sheriffs, police officers, ***probation and parole officers,*** and superintendents of the county departments of corrections shall secure and forward to the director all such information as he or she may direct relative to persons brought before said courts or arrested or in the custody of such officers. [~~Any person violating the provisions of this section or any rules adopted under RSA 541-A shall be guilty of a violation, for each offense.~~]

Amend the bill by replacing section 3 with the following:

3 New Paragraphs; State Police; Criminal Records; Reports. Amend RSA 106-B:14 by inserting after paragraph I the following new paragraphs:

I-a.(a) No individual, or public or private agency receiving criminal conviction record information from the division shall resell, rent, trade, transfer, make available, or otherwise disclose such information to another person for any purpose, other than to a client of the individual or public or private agency, without permission of the director.

(b) The state of New Hampshire and its officials, employees, or agents shall not be liable for the improper use, disclosure, or inaccuracy of conviction record information provided to a requesting individual or public or private agency under the provisions of this section.

(c) The director, after notice and opportunity for hearing, may prohibit any individual or public or private agency from requesting or receiving state criminal conviction information from the division if such individual or public or private agency resells, rents, trades, transfers, makes available, or otherwise discloses such information to another in violation of this section or any rule adopted thereunder.

(d) Criminal conviction records received from the division shall be the official source of certified criminal conviction history records for employment and licensing purposes.

I-b. Any person violating the provisions of this section or any rules adopted under RSA 541-A, shall be guilty of a misdemeanor for each offense.

SB 46, relative to public safety radio interoperability. **OUGHT TO PASS WITH AMENDMENT.** Rep. Jeffrey P. Goley for Executive Departments and Administration. This bill is a request of the department of safety and would require the advisory council on emergency preparedness and security to oversee statewide radio communications interoperability efforts. The bill also establishes a statewide interoperability executive committee, comprised of an executive management group and various working groups, charged with development of a strategic statewide interoperable communications plan. It is critical that communication be maintained during a state of emergency. Vote 13-0.

Amendment (1489h)

Amend RSA 21-P:48, IV(f) as inserted by section 4 of the bill by replacing it with the following:

(f) A representative of a charitable organization that provides disaster relief, appointed by the commissioner.

Amend RSA 21-P:48, IV(i) and (j) as inserted by section 4 of the bill by replacing them with the following:

(i) One member of the Professional Fire Fighters of New Hampshire, appointed by the association.

(j) One representative of the New Hampshire Sheriff's Association, appointed by the association.

Amend RSA 21-P:48, IV(l) as inserted by section 4 of the bill by replacing it with the following:

(l) One member of the New Hampshire Police Association, appointed by the association.

Amend RSA 21-P:48, IV(r) as inserted by section 4 of the bill by replacing it with the following:

(r) One representative of a major public safety dispatch center, appointed by the commissioner.

Amend RSA 21-P:48, IV(aa) as inserted by section 4 of the bill by replacing it with the following:

(aa) Not more than 2 representatives of technology-related businesses in the private sector, appointed by the commissioner.

SB 86, relative to state procurement of goods and services. **OUGHT TO PASS WITH AMENDMENT.** Rep. Peter B. Schmidt for Executive Departments and Administration. This bill, as amended, implements the first set of recommendations by a joint legislative study committee tasked with looking at current state procurement practices, including a request to extend the study in order to achieve a more global reform, given the necessary additional time. Vote 14-0.

Amendment (1207h)

Amend RSA 21-G:36, I as inserted by section 1 of the bill by replacing it with the following:

I. "Agency" means any executive branch department, commission, board, institution, bureau, office, or other executive branch entity established in the state constitution, statutes, session laws, or executive orders.

SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards. **OUGHT TO PASS.**

Rep. Peter T. Hansen for Executive Departments and Administration. This bill establishes a study committee to explore the merits of expanding the state's current policy of defending and indemnifying employees of the state under RSA 99-D in proceedings before professional licensing boards. The committee on a bipartisan vote agreed that the intent of the bill was desirable. Vote 11-1.

SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill establishes a licensing requirement for FDA-registered 503B compounding facilities doing business in New Hampshire. 503B compounding facilities develop and provide specialized pharmaceutical drugs to many NH hospitals and pharmacies that are unable to do such work in-house. In light of a situation that led to the loss of life of several patients due to actions by an out-of-state compounding facility a few years ago, the committee found it to be in the public interest to strengthen the oversight of outsourcing facilities that provide compounded drugs to New Hampshire patients by requiring these to be licensed and regulated by the New Hampshire board of pharmacy. The amendment adds a purpose clause to the bill and a technical provision to ease implementation of the bill. Vote 11-0.

Amendment (1474h)

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-5 to read as 2-6, respectively:

1 Purpose. It is in the interest of the residents of New Hampshire to strengthen the oversight of outsourcing facilities that provide compounded drugs for patient use in New Hampshire by requiring such facilities to be licensed and regulated by the New Hampshire pharmacy board. The general court recognizes that the federal Drug Quality and Security Act (DQSA) was signed into law November 27, 2013 and that the federal Food and Drug Administration (FDA), pursuant to section 503B of the federal Food, Drug and Cosmetic Act as amended by the DQSA, is in the process of establishing final guidelines for the regulation of outsourcing facilities, identified as 503B facilities. It is the intent of this act to establish a licensing requirement for FDA registered 503B outsourcing facilities and to establish interim requirements for such facilities. Once federal guidelines are finalized and adopted, it is the intent of the general court that such requirements shall be further adopted by the New Hampshire pharmacy board to maintain regulatory consistency for outsourcing facilities with the federal government.

Amend the bill by replacing all after section 4 with the following:

5 Contingency; Effective Date of Repeal. Section 4 of this act shall take effect on the date that the pharmacy board certifies to the director of legislative services and the secretary of state the effective date of rules adopted by the board under RSA 318:51-e, IX, which replace the requirements of RSA 318:51-d, or June 30, 2017, whichever is later.

6 Application. The pharmacy board shall have authority to extend any current license held by outsourcing facilities beyond July 1, 2015, until such time as the rules for licensing requirements and application requirements adopted pursuant to RSA 318:51-e are in effect.

7 Effective Date.

I. Section 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect July 1, 2015.

SB 31, relative to the controlled drug prescription health and safety program. **OUGHT TO PASS.**

Rep. James R. MacKay for Health, Human Services & Elderly Affairs. This legislation, based on recommendations by the pharmacy board and the prescription drug monitoring program, which went into effect on October 12, 2014, is essential in dealing with the significant misuse of prescription drugs, to date. Housekeeping measures include administrative rules, application for a federal grant for start-up costs and issuance of an R.F.P. for a vendor to operate the program are in place. Other technical concerns are addressed in this legislation as requested by the advisory council. Vote 21-0.

SB 84, relative to the definition of "telemedicine." **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services & Elderly Affairs. This bill, as amended, expands the provider-patient relationship to include not only in-person, but face-to-face, 2 way real-time interactive communication. It defines telemedicine including who can provide services and the expectation of such providers. It carefully provides guidance for the prescription of drugs classified in schedules II-IV through telemedicine. Finally, it assures payment of such services by medicaid. Vote 21-0.

Amendment (1332h)

Amend the bill by replacing all after the enacting clause with the following:

1 Pharmacists and Pharmacies; Definitions. Amend RSA 318:1, XV-a to read as follows:

XV-a. "Practitioner-patient relationship" means a medical connection between a licensed practitioner and a patient that includes an in-person ***or face-to-face 2-way real-time interactive communication*** exam, a history, a diagnosis, a treatment plan appropriate for the practitioner's scope of practice, and documentation of all prescription drugs including name and dosage. A practitioner may prescribe for a patient whom the practitioner does not have a practitioner-patient relationship under the following circumstances: for a patient of another practitioner for whom the prescriber is taking call; for a patient examined by another New Hampshire licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment. The definition of a practitioner-patient relationship shall not apply to a practitioner licensed in another state who is consulting to a New Hampshire licensed practitioner with whom the patient has a relationship.

2 New Section; Medicaid Coverage for Telehealth Services. Amend RSA 318 by inserting after section 47-i the following new section:

318:47-j Medicaid Coverage for Telehealth Services. Under this chapter, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

3 New Paragraph; Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2 by inserting after paragraph XV the following new paragraph:

XVI. Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), only after an initial in-person exam by a practitioner licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter.

4 New Paragraph; Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2 by inserting after paragraph XV the following new paragraph:

XVI. Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), only after an initial in-person exam by a practitioner licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter. Under this paragraph, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

5 Physicians and Surgeons; Physician-Patient Relationship. Amend RSA 329:1-c to read as follows:

329:1-c Physician-Patient Relationship. "Physician-patient relationship" means a medical connection between a licensed physician and a patient that includes an in-person ***or face-to-face 2-way real-time interactive communication*** exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage. A licensee may prescribe for a patient whom the licensee does not have a physician-patient relationship under the following circumstances: writing admission orders for a newly hospitalized patient; for a patient of another licensee for whom the prescriber is taking call; for a patient examined by a physician assistant, nurse practitioner, or other licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment or when providing limited treatment to a family member in accordance with the American Medical Association Code of Medical Ethics. Prescribing drugs to individuals without a physician-patient relationship shall be unprofessional conduct subject to discipline under RSA 329:17, VI. The definition of a physician-patient relationship shall not apply to a physician licensed in another state who is consulting to a New Hampshire licensed physician with whom the patient has a relationship.

6 New Section; Physicians and Surgeons; Definition of "Telemedicine." Amend RSA 329 by inserting after section 1-c the following new section:

329:1-d Telemedicine.

I. "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. "Telemedicine" shall not include the use of audio-only telephone or facsimile.

II. An out-of-state physician providing services by means of telemedicine shall be deemed to be in the practice of medicine and shall be required to be licensed under this chapter. This paragraph shall not apply to out-of-state physicians who provide consultation services pursuant to RSA 329:21, II.

III. Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), only after an initial in-person exam by a physician licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter.

IV. A physician providing services by means of telemedicine directly to a patient shall:

(a) Use the same standard of care as used in an in-person encounter;

(b) Maintain a medical record; and

(c) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate.

V. Under this section, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

7 New Paragraph; Nurse Practice Act; Definition Added. Amend RSA 326-B:2 by inserting after paragraph I the following new paragraph:

I-a. "Advanced practice registered nurse-patient relationship" means a medical connection between a licensed APRN and a patient that includes an in-person or face-to-face 2-way real-time interactive communication exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage. A licensee may prescribe for a patient whom the licensee does not have an APRN-patient relationship under the following circumstances: writing admission orders for a newly hospitalized patient; for a patient of another licensee for whom the prescriber is taking call; for a patient examined by another licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment.

8 New Paragraph; Nurse Practice Act; Definition Added. Amend RSA 326-B:2 by inserting after paragraph XI the following new paragraph:

XII.(a) "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. "Telemedicine" shall not include the use of audio-only telephone or facsimile.

(b) An out-of-state APRN providing services by means of telemedicine shall be deemed to be in the practice of medicine and shall be required to be licensed under this chapter.

(c) Any controlled drug classified in schedule II through IV may be prescribed by means of telemedicine, as defined in RSA 329:1-d, I and subparagraph (a), only after an initial in-person exam by an APRN licensed to prescribe the drug. An in-person exam shall take place at least annually thereafter.

(d) An APRN providing services by means of telemedicine directly to a patient shall:

(1) Use the same standard of care as used in an in-person encounter;

(2) Maintain a medical record; and

(3) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate.

(e) Under this section, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

9 Contingency. If SB 112 of the 2015 regular session becomes law, sections 2, 4, paragraph V of section 6, and subparagraph XII(e) of section 8 of this act shall take effect at 12:01 a.m. on the effective date of SB 112. If SB 112 does not take effect sections 2, 4, paragraph V of section 6, and subparagraph XII(e) of section 8 of this act shall not take effect.

10 Effective Date.

I. Sections 2, 4, paragraph V of section 6, and subparagraph XII(e) of section 8 of this act shall take effect as provided in section 9 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill clarifies when it is appropriate to use telemedicine in practitioner-patient medical circumstances. Under this bill, except for practitioners treating patients in community mental health programs, a practitioner shall not prescribe certain controlled drugs by means of telemedicine.

SB 112, requiring the Medicaid managed care program to cover telemedicine services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services & Elderly Affairs. This legislation, as amended, requires the department of health and human services to implement medicaid coverage for telehealth services. This legislation includes collaboration with the telecommunication planning and development advisory committee to advise and assist the department in the development of a detailed work plan for implementation of medicaid coverage of telehealth services and identify funding or other tangible resources for cumulative services drawing on the expertise in the telehealth community and, or academic institutions. Vote 19-0.

Amendment (1292h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring the Medicaid program to cover telehealth services.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Medicaid Coverage of Telehealth Services. Amend RSA 167 by inserting after section 4-c the following new section:

167:4-d Medicaid Coverage of Telehealth Services.

I. In this section, "telehealth services" shall comply with 42 C.F.R. section 410.78. The use of the term "telemedicine" shall comply with the Centers for Medicare and Medicaid Services requirements governing the aforementioned telehealth services.

II.(a) Coverage under this section shall include the use of telehealth or telemedicine for Medicaid covered services provided within the scope of practice of a physician or non-physician practitioner as a method of delivery of medical care:

(1) Which is an appropriate application of telehealth services as determined by the department based on the Centers for Medicare and Medicaid Services regulations; and

(2) By which an individual shall receive medical services from a physician or non-physician practitioner without in-person contact with the enrolled Medicaid provider.

(b) Nothing in this section shall be construed to prohibit the Medicaid program from providing coverage for only those services that are medically necessary and subject to all other terms and conditions of the coverage.

III. This section shall be conditioned upon review and approval of a state plan amendment submitted by the department to the Centers for Medicare and Medicaid Services. The department's obligation to implement and maintain the requirements of this section shall be subject to sufficient funding and resources.

2 New Subparagraph; Telecommunications Planning and Development Advisory Committee; Implementation of Medicaid Coverage of Telehealth Services; Duty Added. Amend RSA 12-A:46, IV by inserting after subparagraph (h) the following new subparagraph:

(i) Advising and assisting the department of health and human services in the implementation of Medicaid coverage of telehealth services as required under RSA 167:4-d. This shall include, but not be limited to, assisting in the development of a detailed work plan for implementation of Medicaid coverage of telehealth services and identifying funding or other tangible resources for consultative services drawing on the expertise in the telehealth community and or academic institutions.

3 Department of Health and Human Services; Implementation of Medicaid Coverage of Telehealth Services; Report Required. The department of health and human services shall report to the oversight committee on health and human services, established in RSA 126-A:13 on the status of its implementation of Medicaid coverage of telehealth services including the status of submission of the required state plan amendment to the Centers for Medicare and Medicaid Services as required under RSA 167:4-d. The department's initial progress report shall be submitted to the oversight committee on or before October 1, 2015 with interim progress reports due on or before April 1, 2016 and October 1, 2016, respectively. The final report shall be submitted by the department to the oversight committee on or before April 1, 2017.

4 Applicability. Sections 1 and 2 of this act shall take effect June 30, 2016. In the event of insufficient funding necessary to
implement the provisions of this act on June 30, 2016, the commissioner of the department of health and human services shall certify this fact to the oversight committee on health and human services as part of its report due on or before April 1, 2016, as required under section 3 of this act.

Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the Medicaid program to cover telehealth services contingent on sufficient funding. Referred to the Committee on Finance.

SB 135-FN, relative to lead poisoning in children. **OUGHT TO PASS WITH AMENDMENT.** Rep. Donald L. LeBrun for Health, Human Services & Elderly Affairs. The committee, after extensive work by a subcommittee, felt SB 135, as amended, was a necessary step toward addressing the serious problem relating to the presence of lead paint in an enormous amount of the older building and apartment complexes in the state. Vote 19-2.

Amendment (1424h)

Amend the bill by replacing section 4 with the following:

4 Lead Paint Poisoning Prevention; Property Owner Notification. Amend RSA 130-A:6-a to read as follows:

130-A:6-a Property Owner Notification.

I. The department shall [~~make reasonable efforts to~~] notify in writing the owner ***or registered agent of an owner*** of a dwelling or dwelling unit where the child resides if ***a venous blood test*** lead [~~levels~~] ***level*** of [~~6~~] ***5*** to 9.9 micrograms per deciliter [~~are~~] ***is*** found in the child's blood. Such notice to the property owner shall specify that it is neither a finding that a lead exposure hazard exists in the property nor is it an order for lead hazard reduction. ***Such notice shall include information about the health hazards of lead poisoning, standards for identifying and eliminating lead hazards, and the federal Renovation, Repair, and Painting program.***

II.***(a)*** Eviction of a tenant based on the presence in the dwelling or dwelling unit of a child [~~with a blood level of 6 to 9.9 micrograms per deciliter~~] ***who has tested positive for the presence of lead in his or her bloodstream*** shall be unlawful. There shall be a rebuttable presumption that any eviction action, instituted by the owner within 6 months of receipt of [~~the~~] notice [~~sent by the department pursuant to paragraph I, is based on the child's elevated blood lead level; provided that this shall not be construed to alter any cause for eviction under RSA 540:2.~~] ***of a child's elevated blood lead level by the department, the child's physician, or the child's parent or guardian, is based on the child's elevated blood level; provided that:***

(1) If the notice came from a parent or guardian only, such parent or guardian shall provide the owner with a copy of the child's blood test prior to the expiration of the eviction notice for the rebuttable presumption in this subparagraph to apply; and

(2) This subparagraph shall not be construed to alter any cause for eviction under RSA 540:2.

(b) If a court finds that an eviction is based on the child's elevated blood lead level, it shall deny the eviction and award damages to the tenant pursuant to RSA 540:14, II. However, if an owner in response to the notice from the department, ***the child's physician, or the child's parent or guardian*** discovers a lead exposure hazard in the dwelling or dwelling unit, the owner may proceed with relocation of the tenants, provided that the owner meets the requirements of RSA 130-A:8-a, I or II.

III. ***In circumstances where the presence of a lead exposure hazard is unsuspected, and becomes known only after the dwelling or dwelling unit has been rented to a family with a child, the owner may withdraw the unit from the residential rental market in lieu of undertaking reduction of the lead exposure hazard. In such case the owner may bring an action to evict the family but only if the owner fulfills all of the conditions set forth in paragraph II. The dwelling unit shall not be subsequently rented for residential purposes without reduction of all lead exposure hazards associated with the unit.***

IV. Refusal of a tenant to permit the owner to have access to the dwelling or dwelling unit in order to inspect for lead exposure hazards shall be good cause for eviction pursuant to RSA 540:2, II(e); provided, however, that the owner gives the tenant at least 48 hours' prior written notice, and that the inspection is to be conducted at a reasonable time.

Amend the bill by replacing all after section 5 with the following:

6 New Subdivision; Childhood Lead Poisoning Prevention and Screening Commission. Amend RSA 130-A by inserting after section 18 the following new subdivision:

Childhood Lead Poisoning Prevention and Screening Commission

130-A: 19 Childhood Lead Poisoning Prevention and Screening Commission Established.

I. There is established a childhood lead poisoning prevention and screening commission to assess and recommend measures for preventing childhood lead poisoning and improving screening rates among New Hampshire children ages 6 years old and younger.

II. The members of the commission shall be as follows:

(a) One member of the senate, appointed by the senate president.

(b) One member of the house of representatives, appointed by the speaker of the house of representatives.

(c) The commissioner of the department of health and human services, or designee.

(d) The executive director of the New Hampshire housing finance authority, or designee.

(e) Two municipal public health officials with knowledge and experience in childhood lead poisoning prevention, one appointed by the New Hampshire Municipal Association, and one appointed by the governor.

(f) A landlord owning 10 or fewer rental units, with experience owning and renting pre-1978 rental housing, appointed by the speaker of the house of representatives.

(g) A landlord owning more than 10 and fewer than 50 rental units, with experience owning and renting pre-1978 rental housing, appointed by the senate president.

(h) A landlord owning more than 50 rental units, with experience owning and renting pre-1978 rental housing, appointed by the Apartment Association of New Hampshire.

(i) A representative of the New Hampshire Property Owners Association, appointed by the association.

(j) An owner of a licensed child care facility located in a pre-1978 building, appointed by the governor.

(k) A representative of the New Hampshire Building Officials Association, appointed by the association.

(l) A representative of the New Hampshire Pediatric Society, appointed by the society.

(m) A representative of New Hampshire Kids Count, appointed by the director of the organization.

(n) A representative of Housing Action New Hampshire, appointed by the director of the organization.

(o) A pediatric physician licensed under RSA 329 and another pediatric health care provider, appointed by the board of medicine.

(p) Three public members, one appointed by the governor, one appointed by the senate president, and one appointed by the speaker of the house of representatives.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner of the department of health and human services. The first meeting of the commission shall be held within 45 days of the effective date of this section. Ten members of the commission shall constitute a quorum. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The chairperson is authorized to establish a subcommittee addressing childhood lead prevention strategies and a subcommittee relative to improving screening rates, and to appoint from among the commission membership the chairpersons of such subcommittees.

V. In addressing childhood lead prevention strategies, the commission shall consider the advisability of adopting an essential maintenance practices program uniquely suited to New Hampshire to prevent lead poisoning in pre-1978 rental housing and pre-1978 buildings containing child care, and the elements of such a program. The commission shall assess:

(a) Essential maintenance practices programs in other jurisdictions.

(b) Coordination of an essential maintenance practices program with existing public health laws and regulations concerning lead, to maximize efficiency.

(c) Incentives and other mechanisms to encourage compliance with essential maintenance practices, including but not limited to, issues concerning limitations on liability for compliance and liability for noncompliance.

(d) Other matters deemed relevant to the commission's determination.

VI. The commission shall explore and examine options for assisting property owners in the abatement of lead-based paint hazards.

VII. The commission shall assess existing screening rates in relation to the department's childhood lead poisoning screening and management guidelines, and assess the actions necessary to achieve screening rates consistent with such guidelines.

VIII. The commission shall assess the feasibility and benefits of requiring the department to provide notice to landlords and parents pursuant to RSA 130-A:6-a and RSA 130-A:6-b when a child has been found to have a blood lead level less than 5 micrograms per deciliter.

IX. The commission shall make an annual report of its activities, together with recommendations for legislation commencing on December 1 2016 to the president of the senate, the speaker of the house of representatives, the governor, and the state library.

7 New Paragraph; Building Permits Restricted; Lead Paint. Amend RSA 676:13 by inserting after paragraph IV the following new paragraph:

V. The building inspector shall not issue a building permit for a renovation or remodeling project without first providing to the applicant a fact sheet prepared by the department of health and human services containing information about lead-safe renovation and remodeling practices and the federal Renovation, Repair and Painting program, and without obtaining the applicant's written acknowledgement of having received such fact sheet, unless the building inspector is

satisfied that the renovation or remodeling will not disturb any surfaces containing lead paint. Nothing in this paragraph shall be construed as limiting the discretion of municipalities to require proof of a contractor's certification under the federal Renovation, Repair and Painting program as part of the building permit process. Neither the building inspector nor the municipality shall be liable for any injury or damages resulting from failure to provide the information required by this paragraph, nor shall the issuance of a building permit be subject to challenge because of failure to provide the information or to obtain the applicant's acknowledgment of having received the information.

8 Repeal. RSA 130-A:19, relative to the childhood lead poisoning prevention and screening commission, is repealed.

9 Effective Date.

I. RSA 130-A:19 as inserted by section 6 of this act shall take effect upon its passage.

II. Section 8 of this act shall take effect November 1, 2018.

III. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill:

I. Changes the notice requirements for blood lead levels found in a child's blood.

II. Establishes the childhood poisoning prevention and lead screening commission to assess existing screening rates in relation to the department of health and human services' screening guidelines.

III. Declares that the building inspection shall not issue a building permit for a renovation or remodeling project unless certain information prepared by the department of health and human services is provided to the applicant.

SB 248, establishing a committee to study health care provider payment rates. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald L. LeBrun for Health, Human Services & Elderly Affairs. The committee determined that another bill is already addressing the issue and better serves the intent of price transparency issue. The majority of testimony substantiated the committee discussion and motion to ITL this version. Vote 21-0.

SB 209-FN, adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. **OUGHT TO PASS.**

Rep. Kurt F. Wuelper for Judiciary. The committee believes this bill, tailored to comport with our existing laws, will significantly improve our ability to cooperate with the 40 other states with similar laws to achieve the best outcomes in cases where guardianship issues involve multiple states. Vote 18-1.

SB 29-FN, relative to fines for motor vehicle offenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Walsh for Transportation. This bill makes various changes to fines for motor vehicle offenses that currently can only be resolved in court. In testimony the committee heard that approximately 80% of offenders pay fines by mail if it is an option. This bill adds several offenses to the list that have a pay by mail option, thus potentially saving people money by not losing time at work. The new fine schedule is based on the past paid fines for that offense. A person can still see a judge by pleading "not guilty" and law enforcement can still issue a "must appear" if it's considered egregious. This bill was a request of the department of safety. The committee amendment simply corrects a typo in the original bill. Vote 13-1.

Amendment (1469h)

Amend the bill by replacing section 10 with the following:

10 Transporting Hazardous Materials and Explosives. Amend RSA 265:118 to read as follows:

265:118 Penalty. The driver, owner, and custodian of any vehicle which is driven in violation of the provisions of this subdivision or any rule adopted under this subdivision shall be guilty of a violation for a first offense and, notwithstanding the provisions of title LXII, shall be fined not more than [~~$500~~] ***$250 plus penalty assessment*** if a natural person or not more than [~~$1,000~~] ***$500 plus penalty assessment*** if any other person. Any person convicted of an offense under this subdivision who was convicted of an offense relating to the transportation of explosives or hazardous materials or wastes within the 5 years preceding the commission of the offense

under this subdivision shall be guilty of a misdemeanor. Any person convicted of an offense under this subdivision who was convicted of 2 or more offenses relating to the transportation of explosives[~~,~~] ***or*** hazardous materials or wastes within 5 years preceding the commission of the offense under this subdivision shall be guilty of a class B felony if a natural person or of a felony if any other person.

Referred to the Committee on Criminal Justice and Public Safety.

SB 62, relative to drivers' licenses for persons without a permanent address. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael D. Abbott for Transportation. This bill allows a person with no permanent address to apply for a driver's license if their residence is confirmed by a social service agency. The fee for licenses should be prorated on a yearly basis. The committee amendment allows a person to get a one-year ID at a lower fee so that they are not financially burdened as their living situation improves. Vote 13-1.

Amendment (1353h)

Amend RSA 263:5-f, I as inserted by section 1 of the bill by replacing it with the following:

I. A resident who is homeless without a permanent street address at the time of application for a driver's license or license renewal may obtain a driver's license, if otherwise qualified, by certifying to the department in writing that he or she is currently a resident in a certain town or city in New Hampshire and by providing a letter signed by an authorized representative of a social service organization or agency qualified under section 501(c)(3) of the Internal Revenue Code stating that the person is authorized to use the address of the organization or agency for purposes of contact by the department. A license issued under this section shall expire one year from the date of issuance.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 License Expiration. Amend RSA 263:10, I to read as follows:

I. Except as provided in ***RSA 263:5-f, I,*** RSA 263:14, and RSA 263:39-a, III, all licenses shall expire on the fifth anniversary of the license holder's date of birth following the date of issuance. The department shall notify each holder of a license by mail addressed to the holder's last known address, or, if the license holder has so elected, by electronic, telephonic, or other means, 30 days prior to the expiration date thereof of a place and time when he or she shall appear for the issuance of a new license and any availability of electronic license renewal.

3 License Fes. Amend RSA 263:42, I to read as follows:

I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle or motorcycle- $50; ***for each license issued under RSA 263:5-f- $10;*** for each youth operator's license and examination- $10 per year, not to exceed $50; for each license issued to a nonresident alien for less than 5 years- $10 per year or portion thereof; for each original commercial driver license and examination or commercial driver license renewal- $60; for each commercial driver license reexamination in a one-year period- $20; for each commercial vehicle endorsement, renewal of an endorsement, or removal of a restriction- $10; for each special motorcycle original license and examination or special motorcycle license renewal- $50; for each original motorcycle endorsement- $25; for each 3-wheeled motorcycle endorsement- $25; for each motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each original driver's license issued, $5 shall be credited to the driver training fund established by RSA 263:52. Except as provided in ***RSA 263:5-f, I,*** RSA 263:14, and RSA 263:39-a, III, every license shall expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.

SB 234, establishing a committee to study the use of law enforcement details and flaggers for traffic control on municipally maintained roads. **OUGHT TO PASS.**

Rep. Werner D. Horn for Transportation. This bill forms a committee to study issues related to the use of law enforcement details and flaggers for traffic control on municipally maintained roads. The goal is to reduce utility company costs and associated high rates, arising from excessive road detail costs. Vote 15-0.

REGULAR CALENDAR

SB 105, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John B. Hunt for the Majority of Commerce and Consumer Affairs. This bill has two components in relation to e-cigarettes. The first section creates a study committee to consider treating e-cigarettes the same as regular cigarettes by including them in the indoor smoking act and thereby prohibiting the smoking of e-cigarettes in businesses and public places, just like cigarettes. There was very little support for this ban in the committee. The other section of the bill was to ban the sale or possession of liquid nicotine containers that do not have child proof caps. While the majority shares concern for the safety of children, later research revealed that the committee had been misled about the actual dangers of nicotine liquid. Proponents of this legislation reported that a child in New York State died after ingesting nicotine liquid. The facts omitted from testimony include: the nicotine liquid in question was of commercial-level potency, over 400% more potent than liquid sold to consumers; that the container in question was left uncapped and within the reach of a child. Legislation requiring childproof caps would not have prevented the death that occurred in New York. Testimony was also given that claimed that one teaspoon of liquid nicotine is sufficient to kill a child, but research showed that this data point only applies to pure nicotine, and does not apply to consumer-grade nicotine liquid, which typically only consists of about 2% nicotine. The majority of the committee felt that packaging is a federal issue and also opposed criminalizing a legal item that was purchased out-of-state. Although some states may have passed similar legislation, the majority of the committee felt to expose out-of-state visitors to criminal penalties is wrong for New Hampshire and that the sponsors of the bill should urge the federal government to take action so that regulating would be uniform across the country. Vote 11-10.

Rep. Richard M. Abel for the Minority of Commerce and Consumer Affairs. The purpose of the proposed amendment is to protect the children of New Hampshire from detrimental effects of ingestion of, or physical contact with, liquid nicotine by requiring "child-resistant packaging." Reports of accidental poisonings of young children in New Hampshire by liquid nicotine have been on the rise in New Hampshire during the past five years along with the dramatic growth in use of e-cigarettes, vapor products and similar devices. In New Hampshire, young children have been hospitalized with serious threats to health including seizures and illnesses through accidental ingestion of or skin contact with fruit and candy-flavored liquid nicotine from containers without child resistant caps. In New York a child died through an accidental poisoning and the legislature there passed legislation mandating child-resistant packaging. At least five states have passed similar laws with another half-dozen states considering such laws. The minority urges voting against the majority recommendation of ITL so that an alternative motion may be presented for an amendment to require manufacture or retail sale in New Hampshire of bottled nicotine solution for use in a vapor product or prefilled electronic cigarette devices to satisfy child-resistant standards set forth in 16 C.F.R. section 1700.15(b) as of January 1, 2016. We heard testimony that retailers, manufacturers, and public health officials agree on the importance of child-resistant packaging and that presently no federal or New Hampshire legislation mandates it with this class of products. We believe this is proactive action that benefits the public health and to be able to save even one child's life in New Hampshire makes it worthwhile.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Abel spoke against and yielded to questions.
Rep. Fothergill spoke against.
Rep. Hunt spoke in favor and yielded to questions.
Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 143

YEAS - 210

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Roberts, Kris	Sterling, Franklin
Tilton, Benjamin			

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gidge, Kenneth
Gonzalez, Carlos	Gould, Linda	Goulette, William	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Katsiantonis, Thomas	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ohm, Bill
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Smith, Gregory	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Fesh, Robert	Gordon, Richard	Green, Dennis	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Lundgren, David
Manning, John	Matthews, Carolyn	McKinney, Betsy	McMahon, Charles
O'Connor, John	Osborne, Jason	Packard, Sherman	Peckham, Michele
Potucek, John	Priestley, Anne	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sytek, John	Tamburello, Daniel

Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 143

CARROLL

Buco, Thomas
Butler, Edward
Nelson, Bill
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Emerson, Susan
Johnsen, Gladys
Ley, Douglas
Parkhurst, Henry
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Ford, Susan
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
Ferrante, Beverly
Gannon, William
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Stevens, Audrey	Treleaven, Susan	Verschueren, James
Wall, Janet			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the majority committee report was adopted.

SB 40-FN, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for the Majority of Criminal Justice and Public Safety. This bill, as amended brings the senate bill in line with a house bill passed earlier in the session which sought to give the families of wanted unborn children an avenue for justice when the unborn child is killed by the criminal or negligent actions of a third party. There is a string of tragic events in NH that have left families searching for justice. This bill will give the families that avenue, and respects all women's choices. This bill fulfills the request the state supreme court spelled out in the NH v Lamy case handed down April 9, 2009, when they overturned the negligent homicide conviction of Joshua Lamy in the death of Dominick Emmons. Part of that ruling stated that if the legislature finds the ruling in this case as unfortunate as the court does they should revisit the homicide statutes with regard to a fetus, as many other states have done. 38 other states have similar laws to the one proposed in SB 40. 23 of those say that life starts at conception, making this proposed law the middle ground. The 8 week point of protection centers on the woman's choice, it is also the point of pregnancy when miscarriages drop off dramatically. Expectant mothers are exempted from prosecution under this statute. Abortion is not affected by the proposed law as the abortion choice is also exempted under the bill. All challenges to fetal homicide laws have been denied as long as the law contained this exemption and in fact, fetal homicide laws have been in existence since California passed the first in the early 1970s. Colorado is moving forward with a fetal homicide law after finding the often mentioned 'enhanced penalties amendment' inadequate in a recent tragic case there. There is also language in the bill to protect families that require in vitro fertilization to complete their families. This bill will do away with the antiquated born alive rule established in England during the 1400s and bring NH into the mainstream in regards to fetal homicide. Vote 11-5.

Rep. Geoffrey D. Hirsch for the Minority of Criminal Justice and Public Safety. While the minority certainly understands the desire to find justice for crimes that result in devastating losses to women and their families, we believe that this bill as written is not the answer. Current New Hampshire assault laws already have enhanced penalties for injuries that result in the death or stillbirth of a fetus. The proper way to seek justice in these cases is to enhance penalties, and not, via a redefinition of terms, attempt to establish a personhood that conflicts with the 14th Amendment and creates a schizophrenic legal division within a pregnant woman. SB 40, by providing specific legal protection to the unborn, goes where even the supreme court would not. Hundreds of women have endured arrest, prosecution, and incarceration as the result of these types of laws. The minority knows that we must address these matters with both sensitivity and compassion, but laws must be in line with our constitution and not jeopardize individual liberty. Without redefining problematic terms, enhancing existing penalties can appropriately obtain the justice families deserve. SB 40 takes the wrong approach.

Majority Amendment (1274h)

Amend the title of the bill by replacing it with the following:

AN ACT including a fetus in the definition of "another" for the purpose of certain criminal offenses.

Amend the bill by replacing all after the enacting clause with the following:

1 Homicide; Capital Murder. Amend RSA 630:1, IV to read as follows:

IV. As used in this section [~~and RSA 630:1-a, 1-b, 2, 3 and 4~~], the meaning of "another" [~~does~~] ***shall*** not include a [~~foetus~~] ***fetus***.

2 New Paragraphs; First Degree Murder; Definition of Another; Exemption for Abortion. Amend RSA 630:1-a by inserting after paragraph III the following new paragraphs:

IV. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, and RSA 630:4, the meaning of "another" shall mean another person, or a fetus as defined in subparagraph V(b).

V.(a) Nothing in this section or RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4 shall apply to any act committed by the woman pregnant with the fetus, to any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian, or to the lawful dispensation or administration of lawfully prescribed medication. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, or RSA 630:4, "abortion" means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the fetus. Such use, prescription, or means is not an abortion if done with the intent to save the life or preserve the health of a fetus, or to remove a dead fetus caused by spontaneous abortion, or to remove an ectopic pregnancy.

(b) In this section, "fetus" means an unborn offspring, from the embryo stage which is the end of the eighth week after conception or, in the case of in vitro fertilization, the end of the eighth week after implantation, until birth.

3 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill provides that a fetus shall be included in the definition of "another" for the purpose of first and second degree murder, manslaughter, negligent homicide, and causing or aiding suicide.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 161

YEAS - 192

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari	Spanos, Peter
Tilton, Franklin	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

McConnell, Jim	Sterling, Franklin		

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon

GRAFTON

Bailey, Brad	Brown, Duane	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart	Gagne, Larry
Gonzalez, Carlos	Gould, Linda	Goulette, William	Haefner, Robert
Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter	Hinch, Richard

Hogan, Edith
Hopper, Gary
Infantine, William
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Pierce, David
Proulx, Mark
Rice, Kimberly
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shaw, Barbara
Simmons, Tammy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Manning, John
Matthews, Carolyn
McMahon, Charles
O'Connor, John
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 161

BELKNAP

Fisher, Robert
Sylvia, Michael
Vadney, Herbert

CARROLL

Buco, Thomas
Butler, Edward
Crawford, Karel
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Darrow, Stephen	Ford, Susan	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Belanger, James
Booras, Efstathia	Bouldin, Amanda	Brown, Pamela	Cohen, Alan
Cornell, Patricia	Cote, David	DiSilvestro, Linda	Edwards, Elizabeth
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Gorman, Mary
Guerette, C. Lee	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Brien, Michael	O'Neil, William	Peterson, Ken
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire
Shattuck, Gilman	Smith, Gregory	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	Gordon, Pamela	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	McKinney, Betsy	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald
Ward, Joanne			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Verschueren, James	Wall, Janet		

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Oxenham, Lee
Schmidt, Andrew			

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Hirsch spoke against.
Rep. Rideout spoke in favor.
Rep. Avellani requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 159

YEAS - 193

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	LeBreche, Shari	Luther, Robert
Spanos, Peter	Tilton, Franklin	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

CHESHIRE

McConnell, Jim	Sterling, Franklin		

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Theberge, Robert			

GRAFTON

Bailey, Brad	Brown, Duane	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Biggie, Barbara
Boehm, Ralph	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Danielson, David
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart	Gagne, Larry
Gonzalez, Carlos	Gould, Linda	Goulette, William	Haefner, Robert
Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Jeudy, Jean
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Notter, Jeanine	O'Brien, William
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl
Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Horn, Werner
Kotowski, Frank	Kuch, Bill	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian	Walsh, Thomas	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter
Lundgren, David	Manning, John	Matthews, Carolyn	McMahon, Charles

O'Connor, John
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Stevens, Audrey
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 159

BELKNAP

Fisher, Robert
Sylvia, Michael
Vadney, Herbert

CARROLL

Buco, Thomas
Butler, Edward
Crawford, Karel
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Belanger, James
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Gorman, Mary
Guerette, C. Lee
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Katsiantonis, Thomas
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Peterson, Ken
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard

Myler, Mel	Patten, Dick	Ratzki, Mario	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	McKinney, Betsy	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Treleaven, Susan
Verschueren, James	Wall, Janet		

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Oxenham, Lee
Schmidt, Andrew			

and the majority committee report was adopted and ordered to third reading.

SB 106-FN, restricting the sale or possession of synthetic drugs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len DiSesa for the Majority of Criminal Justice and Public Safety. This bill prohibits the sale, use or possession of synthetic drugs in New Hampshire and it also requires the governor's commission on alcohol and drug abuse prevention, treatment and recovery to make recommendations for public awareness and education on the dangers of synthetic drugs. These illegal drugs are often manufactured in exceptionally poor and dangerous sanitary conditions, and the attorney general's office, the NH department of safety, the governor's commission on alcohol & drug abuse prevention, treatment and recovery, and the New Hampshire Association of Chiefs of Police support the bill for the following reasons: a) synthetic fentanyl is now the leading cause of drug deaths in the state; and b) synthetic cannabinoids like K2, Spice, Blaze and Kronic among others, are easily obtained over the internet and at gas stations, tobacco shops, head shops and convenience stores in New Hampshire. The impact of these dangerous drugs has been seen by local law enforcement, poison control centers and emergency rooms across the state and the results have been both fatal and devastating, especially to the state's younger population. In many cases, these drugs are packaged in such a manner as to appeal to pre-teens, teenagers and young adults. This comprehensive bill provides a detailed definition of what a "synthetic drug" is by listing the 10 chemical structural classes for the substances that have been created and sold, and it is both an appropriate and timely response to this growing epidemic. Vote 14-3.

Rep. Ed Comeau for the Minority of Criminal Justice and Public Safety. This bill prohibits the sale, use, or possession of certain synthetic chemical compounds that people are misusing to create mind altering effects. Is the misuse of chemical compounds creating a serious health crisis in New Hampshire? Yes. Are people consuming these compounds and forfeiting their lives? Absolutely, but it is the minority opinion that SB 106-FN will have a limited effect. It attempts to create a mechanism whereby an infinitely expansive list will be created. If the banned chemicals are found in products sold to the public, a store owner will be fined. Does the State have the enforcement and financial resources to accomplish this type of chemical policing? Sadly, people sniff paint; glue; drink sterno; huff air freshener and many other common household items to get "high." Will all these be added to the list? Manufacturers of these substances will use chemistry to create millions of combinations, where will this list end? It is also the minority opinion that this bill is a misuse of resources and will be ineffective at removing moral hazard. Moral hazard or the ability for people to learn from behavior choices is the most important and effective measure against people using deadly chemical substances to alter their body and minds. SB 106 in the current form is only a feel good measure that will do nothing to address the issue. Yes, it will attempt to remove the substances from the store shelves, but the state cannot ban chemistry and the bad choices people make.

Majority Amendment (1390h)

Amend RSA 359-O:6 as inserted by section 6 of the bill by inserting after paragraph VI the following new paragraph: n

VII. This section shall not apply to nonprescription or proprietary medicines as defined in RSA 318:1, XVIII.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. Burt and Comeau spoke against and yielded to questions.

Reps. Martin and DiSesa spoke in favor and yielded to questions.

Rep. Welch requested a roll call; sufficiently seconded.

YEAS 233 - NAYS 120

YEAS - 233

BELKNAP

Fields, Dennis	Gallagher, Brian		

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Ley, Douglas
Parkhurst, Henry	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tilton, Benjamin
Weber, Lucy			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Duane	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Hennessey, Erin	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Booras, Efstathia	Brown, Pamela	Byron, Frank
Christensen, Chris	Christie, Rick	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	Donovan, Daniel	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Gonzalez, Carlos
Gorman, Mary	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Hansen, Peter	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hinch, Richard	Hopper, Gary	Infantine, William	Jack, Martin
Jeudy, Jean	Katsiantonis, Thomas	Kurk, Neal	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
McCarthy, Peggy	McNamara, Richard	O'Brien, Michael	O'Neil, William
Ohm, Bill	Pellegrino, Anthony	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa

Seidel, Carl
Smith, Timothy
Straight, Phillip
Williams, Kermit
Shattuck, Gilman
Snow, Kendall
Sullivan, Daniel
Wolf, Terry
Shaw, Barbara
Soucy, Timothy
Vann, Ivy
Woodbury, David
Smith, Gregory
Souza, Kathleen
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Karrick, David
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane
Bartlett, Christy
Ebel, Karen
Henle, Paul
Kenison, Linda
MacKay, James
Patten, Dick
Schuett, Dianne
Walsh, Thomas
Bradley, Paula
Frazer, June
Hess, David
Kidder, David
Martin, John
Ratzki, Mario
Shurtleff, Stephen
Wheeler, Deborah
Carson, Clyde
French, Barbara
Hirsch, Geoffrey
Kotowski, Frank
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cali-Pitts, Jacqueline
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Introne, Robert
Matthews, Carolyn
Moody, Marcia
Peckham, Michele
Sytek, John
Weyler, Kenneth
Allen, Mary
Berrien, Skip
Cardon, G. Thomas
Devine, James
Gannon, William
Hagan, Joseph
Katsakiores, Phyllis
McBeath, Rebecca
O'Connor, John
Prudhomme-O'Brien, Katherine
Ward, Gerald
Woitkun, Steven
Azarian, Gary
Borden, David
Christie, Andrew
Doucette, Fred
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McKinney, Betsy
Packard, Sherman
Sherman, Thomas
Webb, James
Barnes, Arthur
Cahill, Michael
Cushing, Robert
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Pantelakos, Laura
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Verschueren, James
Bixby, Peter
Gray, James
Schmidt, Peter
Sprague, Dale
Wall, Janet
Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Stevens, Audrey
Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Treleaven, Susan

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew
Converse, Larry
Irwin, Virginia
Smith, Steven
Gagnon, Raymond
Oxenham, Lee
Gottling, Suzanne
Rollins, Skip

NAYS - 120

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Sylvia, Michael
Dumais, Russell
LeBreche, Shari
Tilton, Franklin
Fisher, Robert
Luther, Robert
Vadney, Herbert
Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
Comeau, Ed
McCarthy, Frank
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Gionet, Edmond
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Belanger, James	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Christiansen, Lars	Coffey, James
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Gould, Linda
Goulette, William	Halstead, Carolyn	Hogan, Edith	Lachance, Joseph
LeBrun, Donald	Martel, Andre	McClarren, Donald	McLean, Mark
Moore, Josh	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	Palmer, Barry	Parison, James	Rice, Kimberly
Simmons, Tammy	Stepanek, Stephen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Chase, Francis	Chirichiello, Brian	Cook, Allen	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Gordon, Richard	Griffin, Mary
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Kolodziej, Walter	Lundgren, David	Osborne, Jason
Potucek, John	Priestley, Anne	Rice, Frederick	Schroadter, Adam
Spillane, James	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gardner, Janice
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Laware, Thomas

and the majority committee report was adopted and ordered to third reading.

SB 125-FN, relative to certification and licensure for mold assessment or remediation services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn L. Cilley for Executive Departments and Administration. This bill requires persons offering mold assessment or remediation services for residential dwellings to be certified and licensed. The majority of the ED&A committee agreed that mold constitutes a health problem for homeowners, that one's home is often his/her single largest asset, and that a homeowner should be able to rely on a basic level of competency from providers of mold assessment and remediation services. The amendment deletes a specific exemption for pesticide applicators. However, a provision in the bill would continue to allow for a professional hired for another primary reason to provide limited mold assessment or remediation services. Vote 10-4.

Amendment (1470h)

Amend the bill by replacing all after the enacting clause with the following:

1 Findings. The general court finds that mold in a residential structure can constitute a significant health threat for the inhabitants. Homeowners who hire a professional to assess a mold problem or remediate such mold problem need assurance that the job will be done correctly. Failure to remediate a mold problem correctly not only is a waste of the homeowner's money but may also result in serious health issues if the mold is not removed correctly or at all. This consumer protection proposal gives homeowners a method to protect their health and the health of their families by assuring a level of competence in those they hire to assess or remediate a mold problem.

2 New Chapter; Mold Remediation. Amend RSA by inserting after chapter 310-B the following new chapter:

CHAPTER 310-C
MOLD ASSESSMENT OR REMEDIATION

310-C:1 DEFINITIONS. In this chapter:

I. "Administrator" means the administrator of the joint board established in RSA 310-A:1-a.

II. "Mold assessment" means:

(a) An inspection, investigation, or survey of a dwelling or other structure to provide information to the owner regarding presence, identification, or evaluation of mold;

(b) The development of a mold remediation specification or protocol; or

(c) The collection of a mold sample for analysis.

III. "Mold assessment license" means a license obtained from the administrator that permits an individual to assess mold problems in a residential setting for a fee.

IV. "Mold remediation" means the removal, cleaning, sanitizing, demolition, or treatment of mold or mold-contaminated matter, live or dead, in a specific location after a mold assessment.

V. "Mold remediation license" means a license obtained from the administrator that permits an individual to remediate mold problems in a residential setting for a fee.

VI. "Third party certification" means a certification approved by a national non-profit organization whose programs are accredited by ANSI (American National Standards Institute), CESB (Council of Engineering and Scientific Specialty Boards), NCCA (National Commission for Certifying Agencies), or any other accrediting body that operates in compliance with the ISO (International Organization for Standardization) standard for accrediting organizations. Certifications are credentials of industry knowledge granted to individuals by a certification body for a limited time. The individual shall not own the designation; the designation shall be owned by the certifying body. Certification holders shall meet certain requirements set by third party certification organizations in order to be recertified.

310-C:2 Mold Remediation Certification.

I. No person shall perform residential mold assessment or remediation services for remuneration unless that person possesses a valid national third party certification for mold assessment or mold remediation and a valid mold assessment or mold remediation license for the state of New Hampshire or such person is working under the direct supervision of a person possessing a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire.

II. The administrator shall establish a license for persons engaging in mold assessment and a license for persons engaging in mold remediation. The administrator shall establish a fee for licensure in order to cover the cost of administering the licensing program.

III. All licenses shall expire on the last day of the month of the licensee's birth in the second year following the year of issuance. The administrator shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The administrator shall charge a reinstatement fee consisting of 20 percent of the renewal fee.

IV. Any person who offers mold assessment or mold remediation services for a fee but does not comply with this chapter or rules adopted under this chapter shall be guilty of a violation and fined $150.

V. Any professional hired for remuneration by a homeowner, in which the primary work contracted for is neither mold assessment nor mold remediation, shall be exempt from this chapter.

310-C:3 Rulemaking. The administrator of the joint board shall adopt rules pursuant to RSA 541-A, relative to:

I. The application procedure for a license to practice under this chapter;

II. How a license to practice under this chapter shall be renewed or reinstated; and

III. The establishment of all fees required under this chapter.

3 New Paragraph; Administration of the Joint Board. Amend RSA 310-A:1-a by inserting after paragraph IV the following new paragraph:

V. The regulation and licensure for mold assessment and mold remediation services under RSA 310-C.

4 Effective Date. This act shall take effect January 1, 2016.

MOTION TO LAY ON THE TABLE

Rep. Andrew Christie moved that **SB 125-FN,** relative to certification and licensure for mold assessment or remediation services, be laid on the table.
Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 206 - NAYS 147

YEAS - 206

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Emerson, Susan
Hunt, John
McConnell, Jim
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Piper, Wendy
Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gonzalez, Carlos
Gould, Linda
Goulette, William
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Bush, Carol
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
O'Connor, John
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 147

BELKNAP

Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Johnsen, Gladys
Ley, Douglas
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Ford, Susan
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
Freitas, Mary
Gidge, Kenneth
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Infantine, William
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Pierce, David
Porter, Marjorie

Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Vann, Ivy	Walsh, Robert	Williams, Kermit	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Cushing, Robert	Gannon, William
Gordon, Pamela	Green, Dennis	Heffron, Frank	Lovejoy, Patricia
Manning, John	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Verschueren, James	Wall, Janet	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee		

and the motion was adopted.

REGULAR CALENDAR CONT'D

SB 8-FN-L, relative to appropriations for nursing homes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Frank A. Byron for the Majority of Finance. This bill seeks to clarify the language of the organizational notes relative to the appropriation for nursing homes and home and community-based organizations, as contained in the 2014/2015 biennial budget. These organizations are part of the 'Choices for Independence' program that allows medicaid patients to receive treatment at home rather than in a more expensive nursing home. The intent of the bill was to ensure that the full amount appropriated for these services would be paid. However, a "loophole" was recently discovered that allowed the governor to use unspent monies in these lines to offset an anticipated deficit for FY 2015. The committee amendment closes the "loophole." In view of more recent and positive information about estimated revenues for FY 2015, the amendment ensures that, with respect to nursing homes, both county and private, all of the $3.8 million appropriated will in fact be paid in FY 2015. The amendment also provides a one-time, 2% increase in payments – about $1 million – to home and community care-based providers who have not received a rate increase since 2007. Any remaining funds will lapse. Vote 13-10.

Rep. Cindy Rosenwald for the Minority of Finance. Because a version of the same bill is contained in HB 2, it will be part of the final budget negotiations. The minority believes having two house positions on the same subject is confusing. The budget is the better platform for arriving at a final settlement since conferees will have most current revenues in hand. This bill is unnecessary; therefore, the minority recommends ITL.

Majority Amendment (1501h)

Amend the bill by replacing all after the enacting clause with the following:

1 Health and Human Services; Nursing Home Appropriations. Amend 2013, 143:1, accounting unit 05-95-48-481510-5942 by replacing the organizational notes immediately following such accounting unit with the following:

ORGANIZATION NOTES

*The appropriation contained in classes 504, 505, 506, and 529 may only be transferred between and among said classes. The appropriations shall not lapse or be used for any other purpose. The appropriations shall not be considered for budget reductions required pursuant to sections 10 and 14 of this act or any other budget reduction, including executive orders required of the department of health and human services. Any balance remaining at the end of each fiscal year shall be paid proportionately to providers as a lump sum distribution of surplus funds based on Medicaid payments made to each provider during the fiscal year.

2 Health and Human Services; Nursing Home Appropriations. Pursuant to the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, for any balance in class 504 nursing home payments that remained at the end of fiscal year 2014, the department of health and human services shall pay the entire amount immediately upon passage of this act in a lump sum distribution of surplus funds paid proportionately to providers based on Medicaid payments made to each provider during the fiscal year ending on June 30, 2014. Upon payment of the distribution of surplus funds made pursuant to this act, the department shall report the total amount of surplus, by source of funds, the total amount paid, and the date payment was made to the fiscal committee of the general court.

3 Health and Human Services; Choices for Independence Appropriations. Notwithstanding the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, from any balance that remained in classes 505, mid-level care expenses, 506 home support waiver services, and 529, home health care waiver services, at the end of fiscal year 2014, the department of health and human services shall make a supplemental, one-time payment to current providers equal to 2 percent of the Medicaid payments made to each provider during the fiscal year ending June 30, 2015. The department shall make such payment immediately upon finalization of fiscal year 2015 billings. After such payment is made, any remaining general fund balance in classes 505, 506, and 529 shall lapse to the general fund.

4 Health and Human Services; Choices for Independence Appropriations. Notwithstanding the organization note contained in 2013, 143:1, accounting unit 05-95-48-481510-5942, as amended in section 1 of this act, for the fiscal year ending June 30, 2015, any general fund balance remaining in classes 505, mid-level care expenses, 506, home support waiver services, and 529, home health care waiver services, at the end of fiscal year 2015, shall lapse to the general fund.

5 Effective Date. This act shall take effect upon its passage.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SB 30-FN-L, permitting counties with unincorporated areas to establish tax increment financing districts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill is NOT a bill that provides funding to any project; that is the responsibility of the Business Finance Authority (BFA). This bill does four things: 1. Establishes the structure so the county commissioners and the county delegation can act as a taxing authority over unincorporated areas in their county. This puts bond repayment in the same category as tax payments in municipalities, at the front of the line for payment before any other liabilities. 2. Allows the BFA to consider bond guarantees for businesses in unincorporated areas in the State of New Hampshire of which there are 26, the majority of which are in Coos County. 3. Limits to $30 million the amount the project BFA can guarantee for any one project. 4. Raises the BFA guarantee ceiling for all projects from $95 million, set in 1994, to $115 million to provide the BFA the opportunity to support commercial development in New Hampshire. The state treasurer has stated that this increase will have no affect on the state's bond rating, nor will it affect the state's borrowing capacity. This is a bill that provides equal BFA opportunity to unincorporated areas that municipalities currently enjoy. Vote 22-0.

Amendment (1515h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the establishment of redevelopment districts in unincorporated places.

Amend the bill by replacing all after the enacting clause with the following:

1 Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, ***RSA 162-I:9-a,*** and RSA 162-I:9-b shall not exceed in the aggregate at any time $50,000,000 plus interest, provided that such amount shall be increased to $80,000,000 plus interest on January 1, 1993, [~~and~~] to $95,000,000 plus interest on January 1, 1994, ***and to $115,000,000 plus interest on May 1, 2015. After May 1, 2015, an amount not to exceed $30,000,000 plus interest may be used solely for bonds guaranteed pursuant to RSA 162-I:9-a, and an amount not to exceed the remaining $85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA 162-I:9-a.***

2 New Paragraph; Business Finance Authority Revenue Bonds; Declaration of Need and Purpose. Amend RSA 162-I:1 by inserting after paragraph VIII the following new paragraph:

IX. It is hereby declared that there is a need for development in unincorporated places which lack local controls, incentives, tax structures, and other mechanisms usually used to promote growth, in order to create, revive, or preserve employment opportunities, preserve or increase the social or economic prosperity of the state and its political subdivisions, or promote the general welfare of the state's citizens.

3 New Paragraph; Business Finance Authority Revenue Bonds; Definition; Redevelopment District in an Unincorporated Place. Amend RSA 162-I:2 by inserting after paragraph IX-b the following new paragraph:

IX-c. "Redevelopment district in an unincorporated place" means an eligible facility in an unincorporated place designated as a redevelopment district by the county commissioners, with the approval of the county delegation, provided the county commissioners have determined that redevelopment within the redevelopment district is likely to promote growth, create, revive, or preserve employment opportunities, preserve or increase the social or economic prosperity of the state and its political subdivisions, or promote the general welfare of the state's citizens.

4 Business Finance Authority Revenue Bonds; Approval of Governor and Council. Amend RSA 162-I:9, II(a)(10) to read as follows:

(10) If the facility is a commercial fishing facility, the governor and council shall find that the establishment and operation of the facility will either create or preserve employment opportunities directly or indirectly within the state, will help to promote the growth of the fishing industry in the state and will likely preserve or increase the economic prosperity of the state and its political subdivisions[~~.~~]**;**

(11) If the facility is a redevelopment district in an unincorporated place, the governor and council shall find that the establishment and operation of the facility or redevelopment of the area within the redevelopment district will likely create, revive, or preserve employment opportunities or preserve or increase the social or economic prosperity of the state or its political subdivisions.

5 Business Finance Authority Revenue Bonds; State Guarantee. Amend RSA 162-I:9-a, I to read as follows:

I. The governor and council may award an unconditional state guarantee of the principal of and interest on bonds issued under this chapter. ***Any guarantee awarded pursuant to this section shall be solely for the purpose of financing a redevelopment district, and only to the extent the bonds are to be self-supporting for purposes of RSA 6-C:1, II.*** The full faith and credit of the state shall be pledged for any such guarantee, but the total outstanding principal amount of bonds guaranteed by the state under this section at any time shall not exceed [~~$25,000,000~~] ***$30,000,000***. For the purpose of determining the amount of bonds guaranteed by the state pursuant to this section, the amount of any issue of bonds sold at a discount shall be equal to the net proceeds thereof, determined by adding to the face amount of the bond issue the premium, if any, related to bonds of that issue and then subtracting the discount related to bonds of that issue. The amount of bonds of any such issue considered outstanding at any time shall be determined by multiplying the face amount of the bonds of that issue then outstanding by a fraction, the numerator of which is the net proceeds of the issue as determined above, and the denominator of which is the face amount of the issue. The governor, with the advice and consent of the council, is authorized to draw his warrant for such sum as may be necessary out of any money in the treasury, not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:

The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest on the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

_____ State Treasurer

In connection with the award of a state guarantee, the governor and council may impose such terms and conditions as they may deem appropriate concerning the bonds, the use and operation of the eligible facilities, the reimbursement to the state if any state funds are used to honor the guarantee and any other matters necessary or desirable to carry out the purposes of this section. Such terms and conditions may be contained in an agreement among the state, the authority and user of the eligible facility to be executed on behalf of the state by the governor and the state treasurer and on behalf of the authority by any 2 persons authorized to execute bonds under RSA 162-I:8.

6 Business Finance Authority Revenue Bonds; State Guarantee. Amend RSA 162-I:9-a, IV to read as follows:

IV. The hearing required by this section may be held and the findings and determinations so required may be made in conjunction with the proceedings required by RSA 162-I:9. [~~No guarantee shall be awarded under this section unless the hearing and proceedings so required are completed not later than June 30, 1996.~~]

7 New Section; Assessment for Development in Unincorporated Places. Amend RSA 162-I by inserting after section 15 the following new section:

162-I:15-a Assessment for Development in Unincorporated Places. In an unincorporated place, the county commissioners, with the approval of the county delegation, may establish redevelopment districts to ensure that projects benefiting from the issuance of bonds guaranteed pursuant to RSA 162-I:9-a, I repay such bonds. The boundaries of the redevelopment district shall be configured so that it includes, but is limited to, all of the property available to be developed, redeveloped, or revitalized using such bonds. Every owner, tenant, or occupant of each lot or parcel located within the redevelopment district shall be subject to an assessment. The amount of the assessment shall be sufficient to provide for repayment of the debt service related to the bond. The amount of the assessment, payment terms, and method for collection shall be established in a financing plan prepared by the bond recipient, approved by the commissioner of the department of revenue administration, and adopted by the county commissioners. The financing plan shall include the delegation of collection responsibilities to the county. The county commissioners may enter into such agreements with the authority, the user, and the state as they deem necessary to ensure repayment under this chapter and to implement the financing plan and including without limitation such terms and conditions as the state shall deem necessary to provide for the segregation and pledge of the assessments to secure repayment of the bonds. The assessment shall be used solely to pay off debt service related to the bond. This payment shall be independent of, and in addition to, any other taxes including property taxes. Any unpaid assessment under this chapter shall constitute a lien pursuant to RSA 80:19 on the assessed property. Collection and enforcement of assessments under this section shall be in accordance with RSA 80:19.

8 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

I. Permits the establishment of redevelopment districts in unincorporated places.

II. Provides for the assessment of parcels located with redevelopment districts.

III. Authorizes a state guarantee for redevelopment bonds.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Reps. Rideout and Emerick spoke in favor.
Rep. Hatch spoke in favor and yielded to questions.
Rep. Dan McGuire spoke against and yielded to questions.
Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 293 - NAYS 57

YEAS - 293

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Luther, Robert	Tilton, Franklin	Varney, Peter

CARROLL

Avellani, Lino
Buco, Thomas
Butler, Edward
Chandler, Gene
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen
Wright, Ted

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Duane
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Ingbretson, Paul
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gidge, Kenneth
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Infantine, William
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Murotake, David
Notter, Jeanine
O'Brien, Michael
O'Neil, William
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Martin, John

Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gordon, Pamela
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Lundgren, David
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Moody, Marcia
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Priestley, Anne
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Sytek, John
Thomas, Douglas
True, Chris
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Jones, Laura
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 57

BELKNAP

Fisher, Robert
Howard, Jr., Raymond
LeBreche, Shari
Spanos, Peter
Sylvia, Michael
Vadney, Herbert

CARROLL

Comeau, Ed

CHESHIRE

McConnell, Jim

GRAFTON

Hull, Robert
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Bouldin, Amanda
Burt, John
Coffey, James
Eastman, Eric
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Goulette, William
Halstead, Carolyn
Hansen, Peter
Hopper, Gary
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Moore, Josh
Murphy, Keith
O'Brien, William
Sullivan, Victoria
Zaricki, Nick

MERRIMACK

Brewster, Michael	Marple, Richard	McGuire, Carol	McGuire, Dan
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Chirichiello, Brian	Gannon, William	Harris, Jeffrey
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Osborne, Jason	Spillane, James	Tamburello, Daniel	Tasker, Kyle
Tucker, Pamela			

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Kaczynski, Jr., Thomas
Turcotte, Leonard			

and the committee report was adopted and ordered to third reading.

SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder. **OUGHT TO PASS.**
Rep. Larry G. Gagne for Transportation. The department of safety states the proposed legislation would enable both driver's license and non-driver's ID applicants to indicate that he or she has a recognized disorder or disability. This would require the presentation of a signed statement by a licensed physician confirming the applicant's condition. Vote 10-5.
Committee report adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Chandler moved that the House reconsider its action whereby, on a roll call vote of 293-57, the House adopted the committee report of Ought to Pass with Amendment on **SB 30-FN-L,** relative to the establishment of redevelopment districts in unincorporated places.
Motion failed.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority. **INEXPEDIENT TO LEGISLATE.**
Rep. Larry G. Gagne for Transportation. This bill would decrease the number of members of the board of directors for the New Hampshire rail transit authority and establish an advisory board. The committee had a problem with the fact that the bill excluded members of the legislature and because three proposed amendments were defeated, the committee felt that another bill should be introduced in the next session addressing and hopefully correcting the problems inherent in this bill. Vote 15-0.
Rep. Steven Smith moved Recommit and spoke in favor.
Motion adopted.
Recommitted to the Committee on Transportation.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet at the Call of the Chair.
Motion adopted.

LATE SESSION

Third reading and final passage

SB 159, reinstating the division for children, youth and families advisory board.
SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities.
SB 153, relative to the accessibility of criminal records.

SB 46, relative to public safety radio interoperability.
SB 86, relative to state procurement of goods and services.
SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards.
SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board.
SB 31, relative to the controlled drug prescription health and safety program.
SB 84, relative to the definition of "telemedicine."
SB 135-FN, relative to lead poisoning in children.
SB 209-FN, adopting the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.
SB 62, relative to drivers' licenses for persons without a permanent address.
SB 234, establishing a committee to study the use of law enforcement details and flaggers for traffic control on municipally maintained roads.
SB 40-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.
SB 106-FN, restricting the sale or possession of synthetic drugs.
SB 8-FN-L, relative to appropriations for nursing homes.
SB 30-FN-L, relative to the establishment of redevelopment districts in unincorporated places.
SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder.

UNANIMOUS CONSENT

Rep. Shaw requested Unanimous Consent of the House regarding the celebration of Mother's Day and addressed the House.
Reps. Pamela Brown and Emerson requested Unanimous Consent of the House regarding Lyme Disease Awareness and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Shaw be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Shaw: Thank you, Mister Speaker. In my 15 years in the House, I have never requested unanimous consent before, so please bear with me. I will be brief. I received an interesting e-mail from a college friend, Rev. Gerald Oleson, of Whitefield, NH, writer, civic activist, and much more, son of long time North Country Representative and Senator, Otto Oleson. I wish to share it with you.

Mother's Day

As we celebrate mothers on their special day, it is important to remember the intent of the founders of Mothers' Day in America. Anguished by the carnage of the Civil War and distressed by the brutality and waste of human life in the Franco-Prussian War, Julia Ward Howe, author of the "Battle Hymn of the Republic" and advocate for better treatment for the disabled, prisoners, and the mentally ill, first suggested the idea of Mothers' Day in 1872 as a day dedicated to peace. Julia Ward Howe dreamed of organizing women around the world to rally for peace. In 1870, in a call to action, she wrote, "Arise, then, women of this day. Arise all women who have hearts, whether your baptism be that of water or tears! Say firmly: "We will not have great questions decided by irrelevant agencies. Our husbands shall not come to us reeking with carnage, for caresses and applause. Our sons shall not be taken from us to unlearn all that we have been able to teach them of charity, mercy and patience. We women of one country will be too tender of those of another country to allow our sons to be trained to injure theirs." From the bosom of the devastated earth a voice goes up with our own. It says, "Disarm, disarm!" The sword of murder is not the balance of justice! Blood does not wipe out dishonor..." (Powerful words of vision) Prior, in 1858, Anna Reeves Jarvis organized Mothers' Works Days to improve sanitation in Appalachian communities. During the Civil War, she recruited women to care for soldiers from both sides, North and South. After the war, Mrs. Jarvis ran meetings to persuade men to put aside their hostile feelings. In 1907, Mrs. Jarvis' daughter, Anna Maria Reeves Jarvis, persuaded her church in Grafton, West Virginia, to celebrate Mothers' Day on the second anniversary of her mother's death, which took place on the 2nd Sunday of May that year. Then Miss Jarvis undertook a lobbying campaign across the country to get a national Mothers' Day. On May 14th, 1914, Senator Heflin of Alabama and Senator Sheppard of Texas sponsored a bill proposing that the

2nd Sunday in May be set aside for all to honor their mothers. Unfortunately, commercialism took over and turned Mothers' Day into something it wasn't designed to be. The floral industry's trade journal wrote, "This was a holiday that could be exploited." Miss Jarvis was outraged. She filed a lawsuit and campaigned against those who would undermine the true intent of Mothers' Day, a day of peace, with their greed. In attempting to stop the Mothers' Day festival in 1923, Miss Jarvis was arrested for disturbing the peace. The Florists' Review triumphantly announced that it was "Miss Jarvis who was completely squelched." As Miss Jarvis grew older, she lost everyone and everything that was close to her. She died alone in a sanitarium in 1948. Near the end of her life, Miss Jarvis told a reporter that she was sorry she had anything to do with the establishment of Mothers' Day. In today's uncertain times of wars, disasters, strife, poverty, and violence, let us all work together to make Julia Ward Howe's dream come true. Let us bring to fruition the dream of Anna Maria Reeves Jarvis who sought to honor her mother, a woman of courage and peace. As Ruth Rosen, Professor of History at the University of California once said, "Nineteenth century women dared to dream of a day that honored women's civic activism. We can do no less. We should honor their vision with civic activism." As we honor mothers this year with beautiful flowers and special gifts, let us also remember those mothers who need child care, job training, health care, protection from domestic violence, and a living wage. Let us then, on Sunday, as we honor our mothers, remember and reflect on the original intent of Mothers' Day as a day of peace and civic activism, and continue that vision throughout the year. Thank you.

MOTION TO PRINT REMARKS

Rep. Flanagan moved that the remarks made by Rep. Pamela Brown be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Pamela Brown: Thank you Mister Speaker and Honorable Members of the House. I stand before you with Representative Susan Emerson from Rindge, New Hampshire, and would like to talk about Lyme Disease Awareness Month. With today's passage of HB 363, relative to Lyme disease awareness, New Hampshire steps forward as a leader in Lyme Disease awareness because it not only designates May as Lyme Disease Awareness Month but also adds a link on the Department of Health and Human Services website to ILADS, the International Lyme and Associated Diseases Society, which opens up an entire body of knowledge that has been gathered by the international community of researchers, scientists and medical providers. Making May Lyme Disease Awareness Month in New Hampshire is quite apropos for a state with one of the highest incidences of Lyme Disease, as reported by the Centers for Disease Control and Prevention. For the last 10 years, we've frequently been in the top three. Since the CDC announced that the actual incidence is probably ten times the reported cases, the 1,691 cases reported in 2013 is probably more like 16,000 per year and we would average 10,000 to 15,000 each year, year after year after year, and we know that the tick population is growing in leaps and bounds. Most ticks today carry other diseases such as Babesia, Ehrlichia, Anaplasmosis, Q fever, etc. and many of these are considered fatal yet are rarely diagnosed until Lyme disease is first diagnosed. Unfortunately, current testing is less than 50 percent accurate. Borrelia Burdorferi is the corkscrew-like bacteria which causes Lyme and is similar to the Syphilis spirochete. It bores into tissue, organs and joints, enters spinal fluid, the brain and mimics other diseases. Growing research links it to Alzheimer's, Multiple Sclerosis, Rheumatoid Arthritis, and Psychiatric Illnesses such as mood disorders or Schizophrenia. Lyme Disease Awareness and education is crucial to the well being of our citizens, especially children who are at the greatest risk. So please use bug spray with DEET and make sure you check your children and check yourselves daily for ticks because it may save you from a lifetime of disability, pain, chronic fatigue or other illnesses. Even cardiac/heart problems are included. Thank you very much.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.
Motion adopted.

The House recessed at 12:25 p.m.

RECESS

(Rep. Chandler in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 408 and Senate Bills numbered 187 and 194.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Flanagan in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 363 and Senate Bill numbered 231.

Rep. Shurtleff, Sen. Soucy for the Committee

ENROLLED BILL AMENDMENTS

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. (Amendment printed SJ 5-7-15)
Adopted.

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries. (Amendment printed SJ 5-7-15)
Adopted.

SB 80, relative to the state trails plan and establishing a committee on rail trails. (Amendment printed SJ 5-7-15)
Adopted.

SENATE MESSAGES

CONCURRENCE

HB 223-FN, relative to external review under the managed care law.
HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses.
HB 304, establishing a committee to study public access to political campaign information.
HB 361, establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.
HB 416-L, relative to compensation for members of the Coos county convention.
HB 480, relative to policies for property and casualty insurance.
HB 507, relative to teacher personally identifiable data.
HB 648-FN, requiring detention until arraignment for persons arrested for violation of protective orders.

NONCONCURRENCE

HB 286, relative to permits issued by building inspectors.
HB 357, relative to notice of change of name or address on a driver's license and on the registration of a vehicle.
HB 424, relative to the accessibility of assessment materials.
HB 491, relative to immunity for school personnel using reasonable force to protect a minor.
HB 494, relative to industrial hemp as a controlled substance.
HB 578-FN, relative to state board of education compliance with unfunded federal education mandates.

RE-REFERRED TO COMMITTEE

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.
HB 502, relative to petitions for verification of checklists.
HB 529, relative to party conventions.
HB 689, relative to adoption of a default budget.

LAID ON THE TABLE

HB 276, providing that school district shall not be required to adopt the common core standards.

CONCURRENCE WITH AMENDMENTS

SB 21, relative to the board of mental health practice.
SB 30-FN-L, relative to the establishment of redevelopment districts in unincorporated places.
SB 134-FN, relative to the escheat of United States savings bonds.
SB 161, relative to the wellness and primary prevention council.
SB 171, establishing a committee to study issues concerning parking for those with walking disabilities.
SB 230-FN-L, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic.
SB 250, relative to the jurisdiction and voting procedures of the executive branch ethics committee.

RECESS

(Speaker Jasper in the Chair)

COMMITTEE ASSIGNMENT

The Speaker made the following committee assignment:
Rep. Dennis Green on the Committee on Criminal Justice and Public Safety.

RECESS

(Rep. Massimilla in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 108, 109, 118, 121, 136, 146, 147, 148, 149, 151, 155, 162, 178, 184, 193, 200, 201, 205, 254, 308, 326, 354, 362, 423, 478, 481, 482, 492, 497, 503, 523, 526, 545, 559, 604, 610 and 621 and Senate Bills numbered 30, 70, 78, 90, 98, 148, 154, 236, 243, 249, 251, 252 and 258.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Eaton in the Chair)

ENROLLED BILL AMENDMENT

SB 161, relative to the wellness and primary prevention council. (Amendment printed SJ 5-7-14) Adopted.

RECESS

(Rep. Stephen Schmidt in the Chair)

ENROLLED BILL AMENDMENTS

HB 119, establishing the John G. Winant Memorial Commission.

Amendment (1601-EBA)

Amend section 1 of the bill by replacing lines 1-2 with the following:

1 New Sections; John G. Winant Memorial Commission. Amend RSA 4 by inserting after section 9-k the following new sections:

Amend RSA 4:9-m, II as inserted by section 1 of the bill by replacing line 3 with the following: commission shall constitute a quorum.

Adopted.

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school.

Amendment (1719-EBA)

Amend RSA 186-C:30, I(h) as inserted by section 1 of the bill by replacing line 1 with the following:

(h) One member from the New Hampshire Council on Developmental Disabilities,

Adopted.

HB 130, relative to the use of blue lights on emergency vehicles.

Amendment (1657-EBA)

Amend RSA 266:78-f as inserted by section 2 of the bill by replacing line 5 with the following: ***under RSA 266:78-b, II,*** no person other than a sworn law enforcement officer shall drive a vehicle
Adopted.

HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association.

Amendment (1592-EBA)

Amend RSA 356-B:40-b as inserted by section 1 of the bill by replacing line 1 with the following: 356-B:40-b Unit Owners' Association Records. Upon written request from the unit owners'
Adopted.

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire.

Amendment (1707-EBA)

Amend RSA 19-A:14, III as inserted by section 1 of the bill by replacing line 2 with the following: attending to the duties of the commission.
Adopted.

HB 336, relative to seasons for hunting by crossbow.

Amendment (1676-EBA)

Amend RSA 208:7-a, I as inserted by section 1 of the bill by replacing line 3 with the following: season, for persons holding a valid firearms deer tag, or as specified in RSA 206:23-c. [~~Such~~]
Adopted.

HB 361, establishing a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

Amendment (1726-EBA)

Amend subparagraph I(c) of section 4 of the bill by replacing line 1 with the following: (c) Identify other states' definitions of employee pertaining to persons who may be
Adopted.

HB 422-FN, relative to certification of death certificates by physician assistants.

Amendment (1633-EBA)

Amend RSA 5-C:62, III(e) as inserted by section 5 of the bill by replacing line 3 with the following: pronounced death; the New Hampshire license number of the physician [~~or~~], APRN, if applicable, ***or***
Amend RSA 5-C:64, VI as inserted by section 8 of the bill by replacing line 2 with the following: ***assistant*** or with the attending physician's [~~or~~], APRN's, ***or physician assistant's*** approval, the
Adopted.

HB 520, establishing privacy protections for student online personal information.

Amendment (1645-EBA)

Amend RSA 189:68-a, I(b)(3) as inserted by section 1 of the bill by replacing line 5 with the following: number, financial or insurance account numbers, email address, other information that allows
Amend RSA 189:68-a, II(a)(1) as inserted by section 1 of the bill by replacing line 1 with the following: (1) Targeted advertising on the operator's site, service, or application, or targeted
Amend RSA 189:68-a, II(c)(2) as inserted by section 1 of the bill by replacing line 2 with the following: in its marketing.
Amend RSA 189:68-a, VI as inserted by section 1 of the bill by replacing line 3 with the following: to review or enforce compliance with this section on those applications or software.
Adopted.

HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law.

Amendment (1637-EBA)

Amend RSA 277-A:4, II(c) as inserted by section 2 of the bill by replacing line 1 with the following:

(c) A [~~material data~~] safety ***data*** sheet on each component toxic substance identified pursuant

Adopted.

HB 607, relative to fees for carrying a concealed firearm.

Amendment (1636-EBA)

Amend the bill by replacing section 1 with the following:

1 Pistols and Revolvers; License to Carry. Amend RSA 159:6, I to read as follows:

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, and that the applicant is a suitable person to be licensed. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for 4 years. When required, license renewal shall take place within the month of the fourth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be $10, which fee shall be for the use of the [~~law enforcement department of the~~] town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be $100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

Adopted.

SB 134-FN, relative to the escheat of United States savings bonds. (Amendment printed SJ 5-7-15)

Adopted.

SB 171, establishing a committee to study issues concerning parking for those with walking disabilities. (Amendment printed SJ 5-7-15)

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 122, 134, 140, 196, 223, 271, 304, 306, 382, 416, 480, 507, 510, 644 and 648 and Senate Bills numbered 11, 21, 31, 96, 114, 209, 230, 234 and 250.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGES
CONCURRENCE

HB 102, relative to consideration of warrant articles.

HB 171, relative to rebating.

HB 198, relative to retention requirements for certain motor vehicle records.

HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense.

HB 322, relative to protection of personally identifiable data by the department of education.

HB 498, relative to notification of radon and arsenic testing.

HB 603, relative to student exemption from the statewide assessment.

RE-REFERRED TO COMMITTEE

HB 346, relative to criminal history records checks for school employees and volunteers.
HB 463, relative to state agency communications.
HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.
HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.

LAID ON THE TABLE

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities.
HB 563-FN, relative to funding for chartered public school pupils.

CONCURRENCE WITH AMENDMENTS

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis.
SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.
SB 38, establishing a commission to develop a land conservation plan.
SB 49, relative to clinical eligibility determination for long-term care.
SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings.
SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities.
SB 62, relative to drivers' licenses for persons without a permanent address.
SB 159, reinstating the division for children, youth and families advisory board.
SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities.

RECESS

(Rep. Gray in the Chair)

ENROLLED BILL AMENDMENTS

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and infectious disease prevention and control issues in health care settings. (Amendment printed SJ 5-21-15)
Adopted.

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. (Amendment printed SJ 5-21-15)
Adopted.

SB 244, relative to abuse and neglect investigations and establishing a commission to review child abuse fatalities. (Amendment printed SJ 5-21-15)
Adopted.

RECESS

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 119, 126, 130, 158, 279, 336, 361, 422, 520, 522 and 607 and Senate Bills numbered 14, 20, 80 and 161.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Hinch in the Chair)

ENROLLED BILL AMENDMENT

HB 664-FN, consolidating existing oil pollution funds.

Amendment (1673-EBA)

Amend RSA 146-A:11-b, II as inserted by section 5 of the bill by replacing lines 9-12 with the following:

fund. The remainder shall be deposited into the oil pollution control fund [~~established under RSA 146-A:11-a, and the oil discharge and disposal cleanup established under RSA 146-D:3, I, based on an allocation determined for each fiscal year~~] ***administered*** by the department of environmental services [~~and the oil fund disbursement board~~]. Imposition of the fee

Amend section 12 of the bill by replacing line 1 with the following:

12 Rulemaking; Commissioner of Safety. Amend RSA 21-P:14, V(q) to read as follows:

Amend paragraph I as inserted by section 14 of the bill by replacing line 2 with the following:

budgeted expenses, and current obligations on the effective date of this section shall be transferred to the

Amend paragraph II as inserted by section 14 of the bill by replacing line 3 with the following:

this section shall be transferred to the oil pollution control fund established in RSA 146-A:11-a.

Adopted.

SENATE MESSAGES

CONCURRENCE

HB 180, relative to the definition of "price or consideration" under the real estate transfer tax and relative to the exception for transfers by devise under such tax.

HB 329, relative to a construction project at the state veterans cemetery.

HB 418, relative to waiver of rights to devised or inherited real property.

RE-REFERRED TO COMMITTEE

HB 380, relative to investigations of child day care agencies.

HB 628, relative to indemnification of health care facilities under certain circumstances.

CONCURRENCE WITH AMENDMENTS

SB 46, relative to public safety radio interoperability.

SB 53, repealing the interagency coordinating council for women offenders and relative to the membership of the interbranch criminal and juvenile justice council.

SB 72, establishing a commission to study the use of police personnel files as they relate to the Laurie List.

SB 86, relative to state procurement of goods and services.

SB 92, establishing a committee to study public access to political campaign information.

SB 153, relative to the accessibility of criminal records.

SB 202-FN, relative to licensure of outsourcing facilities by the pharmacy board.

RECESS

(Rep. Flanagan in the Chair)

ENROLLED BILL AMENDMENT

SB 38, establishing a commission to develop a land conservation plan. (Amendment printed SJ 5-21-15)

Adopted.

RECESS

(Rep. Backus in the Chair)

ENROLLED BILL AMENDMENT

SB 46, relative to public safety radio interoperability. (Amendment printed SJ 5-28-15)

Adopted.

SB 86, relative to state procurement of goods and services. (Amendment printed SJ 5-28-15)

Adopted.

SB 202, relative to licensure of outsourcing facilities by the pharmacy board. (Amendment printed SJ 5-28-15)

Adopted.

SENATE MESSAGES

CONCURRENCE

HB 169, relative to table stakes poker.
HB 290, relative to the acceptance of risk in outdoor recreational activities.
HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license.
HB 415, limiting liability of out-of-state emergency services entities responding to incidents in New Hampshire.

RE-REFERRED TO COMMITTEE

HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.
HB 521, relative to the size of the pool of the workers' compensation appeals board.

NONCONCURRENCE

HB 203, relative to the unauthorized practice of law.
HB 236, relative to child support and allowable child care expenses.
HB 315, relative to termination of tenancy.

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:
Rep. Silva on the Committee on Fish and Game and Marine Resources and off the Committee on Election Law.
Rep. Dean-Bailey on the Committee on Election Law.

RECESS

(Speaker Jasper in the Chair)

Rep. Flanagan moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 16

Wednesday, June 3, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. God of wisdom and inspiration, as the academic year comes to a close, we give You thanks for the people You call to be educators and for the important work they do in shaping, guiding and enriching the lives of their students. During these summer months, we pray for true rest and restoration for teachers, counselors, administrators and all who give so much of themselves for the good of our children and youth. May they know how much they are valued and appreciated, and may they see in the lives of those they teach, lasting evidence of their success. We pray too for students of all ages and levels, that You would keep them safe and well during the summer break, that You would bless them with opportunities for new discovery, growth, and learning, even as they too benefit from a time of rest and refreshment. And we pray for those who are moving into a new chapter of their lives: students advancing into high school or college; graduates entering the workplace or pursuing advanced degrees; teachers taking on new positions or transitioning into retirement. May they each know the wonder of growing more fully into the person You created them to be and into the abundant life that is Your promise to us all. Amen.

Representative Daniel Eaton, member from Stoddard, led the Pledge of Allegiance.

The National Anthem was sung by Julie Huss of Derry.

LEAVES OF ABSENCE

Reps. Comtois, Crawford, Doucette, Parsons, Priestley, Russell, Sanders and Straight, the day, illness.
Reps. Flanders, Gardner, Gray, Barbara Griffin, LeBreche, McNamara, Moore, Timothy Smith, Treleaven, Joanne Ward, Kenneth Ward and Weber, the day, important business.
Rep. DeLemus, the day, illness in the family.
Reps. Hirsch, Murotake and Sykes, the day, death in the family.

INTRODUCTION OF GUESTS

Ellen Hayes, Marilyn Monsein, Susan Moore, Betsey Phillips, and Claire Van Karls, guests of Reps. Rebecca Brown and Ford. Donna Devlin-Young, and Will Hammond, guests of Rep. Rosenwald. Grant and Faith Clark, guests of Rep. Gionet. John Shepardson, husband of Rep. Carol Roberts. Susanna, Arabella, and Ainsley Schroadter, wife and daughters of Rep. Schroadter. Duncan Spilsbury, guest of Rep. Steven Smith. The Honorable Lenette Peterson, former member from Merrimack, Guest of Rep. Notter. Abby O'Brien, daughter of Rep. Prudhomme-O'Brien. Bruce and Doris Luneau, parents of Rep. Luneau. The Honorable Laurie Boyce, former member from Alton, guest of Rep. Chandler. Fourth graders from Kensington Elementary School, guests of Reps. Richard Gordon and Nigrello. Fourth graders from Pelham Elementary School, guests of Rep. Estevez. Eli Standefer, guest of the Speaker.

COMMUNICATION

May 27, 2015

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:
Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:
Rockingham County District No. 32
Yvonne Dean-Bailey, r, Northwood (363 First NH Turnpike) 03261

Sincerely,
William M. Gardner
Secretary of State

AMENDMENT TO HOUSE RULES

Reps. Chandler and Shurtleff moved the adoption of an amendment, as proposed by the Rules Committee, to House Rule 65 adding the following deadlines for legislative action:

Wednesday, September 2, 2015	First day to file LSRs for 2016
Friday, September 18, 2015	Last day to file LSRs (4:00 p.m.)
Friday, October 30, 2015	Last day to sign off LSRs (4:00 p.m.)
Thursday, November 12, 2015	Last day to report retained bills
Wednesday, January 6, 2016	Last day to introduce House legislation

Motion adopted by the necessary two-thirds vote.

SENATE MESSAGES
REQUESTS CONCURRENCE WITH AMENDMENTS

HB 449, relative to the duration of child support. (Amendment printed SJ 5-28-15)
Rep. Gargasz moved that the House concur and spoke in favor.
Motion adopted.

HB 597-FN, relative to penalties for indecent exposure and lewdness. (Amendment printed SJ 5-7-15)
Rep. Tholl moved that the House concur and spoke in favor.
Motion adopted.

HB 206, establishing a committee to study non-academic surveys or questionnaires administered by a public school to its students and relative to non-academic surveys or questionnaires given to students. (Amendments printed SJ 5-14-15)
Rep. Ladd moved that the House concur and spoke in favor.
Motion adopted.

HB 332, relative to school district policy regarding objectionable course material. (Amendment printed SJ 5-14-15)
Rep. Ladd moved that the House concur and spoke in favor.
Motion adopted.

HB 519, establishing a committee to study policies which it determines are necessary for dyslexic students. (Amendment printed SJ 4-30-15)
Rep. Ladd moved that the House concur and spoke in favor.
Motion adopted.

HB 133, relative to recounts on questions. (Amendment printed SJ 5-7-15)
Rep. Hoelzel moved that the House concur and spoke in favor.
Motion adopted.

HB 328, relative to delivery of absentee ballots. (Amendment printed SJ 5-28-15)
Rep. Hoelzel moved that the House concur and spoke in favor.
Motion adopted.

HB 493, relative to minimum voting booths for city, town, school district, and village district elections. (Amendment printed SJ 4-30-15)
Rep. Hoelzel moved that the House concur and spoke in favor.
Motion adopted.

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act. (Amendment printed SJ 4-30-15)
Rep. Andrew Christie moved that the House concur and spoke in favor.
Motion adopted.

HB 455-FN, relative to the board of managers of the New Hampshire veterans' home, relative to the reporting process for certain departments and divisions of departments, and extending the commission to study mental health implementation in New Hampshire. (Amendments printed SJ 5-28-15)
Rep. Andrew Christie moved that the House concur and spoke in favor.
Motion adopted.

HB 484, relative to medication administration by licensed nursing assistants and relative to exemptions from regulation for certain nursing care and attendant care services. (Amendment printed SJ 4-30-15)
Rep. Andrew Christie moved that the House concur and spoke in favor.
Motion adopted.

HB 333, establishing a process for review and reporting of dedicated funds. (Amendment printed SJ 4-30-15)
Rep. Kurk moved that the House concur and spoke in favor.
Motion adopted.

HB 212, relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing and relative to the authority of the fish and game department to establish fees. (Amendments printed SJ 5-14-15)
Rep. Kidder moved that the House concur and spoke in favor.
On a division vote, 226 members having voted in the affirmative and 90 in the negative, the motion was adopted.

HB 190, establishing a statutory commission to study the standards for collaborative pharmacy practice. (Amendment printed SJ 4-30-15)
Rep. Kotowski moved that the House concur and spoke in favor.
Motion adopted.

HB 476-FN, amending the definition of "qualifying medical condition" in the therapeutic cannabis law. (Amendments printed SJ 5-14-15)
Rep. Kotowski moved that the House concur and spoke in favor.
Motion adopted.

HB 564-FN, relative to prior authorization for certain prescription drugs. (Amendment printed SJ 5-21-15)
Rep. Kotowski moved that the House concur and spoke in favor.
Motion adopted.

HB 292, expanding the good Samaritan law to engineers and architects. (Amendment printed SJ 5-28-15)
Rep. Rowe moved that the House concur, spoke in favor and yielded to questions.
Rep. Sylvia spoke against.
On a division vote, 248 members having voted in the affirmative and 112 in the negative, the motion was adopted.

HB 616-FN, relative to compensation to claimants under the victims' assistance fund. (Amendment printed SJ 5-7-15)
Rep. Rowe moved that the House concur and spoke in favor.
Motion adopted.

HB 347, relative to payment of wages of certain hourly school district employees. (Amendment printed SJ 5-14-15)
Rep. Infantine moved that the House concur and spoke in favor.
Motion adopted.

HB 233, relative to local approval of mining activity. (Amendment printed SJ 5-21-15)
Rep. James Belanger moved that the House concur and spoke in favor.
Motion adopted.

HB 344, relative to tax increment financing plans of municipal economic development and revitalization districts. (Amendment printed SJ 4-30-15)
Rep. James Belanger moved that the House concur and spoke in favor.
Motion adopted.

HB 451, relative to local approval of mining permits. (Amendment printed SJ 5-21-15)
Rep. James Belanger moved that the House concur and spoke in favor.
Motion adopted.

HB 464, establishing the traditional commercial and recreational fishing protection act, prohibiting political subdivisions from interfering with commercial and recreational operations, relative to protective well radii for sewage disposal systems of commercial buildings, and relative to rulemaking by the commissioner of environmental services on certain minimal impact projects. (Amendment printed SJ 5-28-15)
Rep. James Belanger moved that the House concur and spoke in favor.
Motion adopted.

HB 281, defining "exotic aquatic species of wildlife" and relative to the duties of the exotic aquatic weeds and species committee. (Amendment printed SJ 4-30-15)
Rep. Chris Christensen moved that the House concur and spoke in favor.
Motion adopted.

HB 153, relative to the telecommunications planning and development advisory committee. (Amendment printed SJ 4-30-15)
Rep. Introne moved that the House concur and spoke in favor.
Motion adopted.

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones. (Amendment printed SJ 5-28-15)
Rep. Introne moved that the House concur and spoke in favor.
Motion adopted.

HB 506, clarifying the conditions under which motor vehicle information may be used. (Amendment printed SJ 5-7-15)
Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale. (Amendment printed SJ 5-14-15)
Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 584-FN, making various changes to laws relating to motor vehicles and vessels. (Amendment printed SJ 5-7-14)
Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax. (Amendment printed SJ 4-30-15)
Rep. Major moved that the House concur and spoke in favor.
Motion adopted.

HB 258-FN-L, relative to fees for preparing motor vehicle registration documents. (Amendments printed SJ 4-30-15)
Rep. Major moved that the House concur and spoke in favor.
Motion adopted.

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system. (Amendment printed SJ 5-28-15)
Rep. Gargasz moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Itse, Patrick Long, Berrien and Edelblut.

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes and proclaiming September 25 as Ataxia Awareness Day. (Amendment printed SJ 4-30-15)
Rep. Haefner moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Haefner, O'Connor, Sad and Moynihan.

HB 364, relative to renewal fees administered by the office of professional licensing, the salt applicator certification program, and pesticide product registration requirements. (Amendments printed SJ 4-30-15 and 5-21-15)
Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Andrew Christie, Sytek, Peter Schmidt and Lynne Ober.

HB 473, requiring the board of managers of the veterans' home to adopt a policy relative to therapeutic use of cannabis by residents of the home. (Amendment printed SJ 5-14-15)
Rep. Andrew Christie moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Sytek, Andrew Christie, Beaudoin and Moffett.

HB 219-FN, relative to the use of electronic benefits transfer (EBT) cards. (Amendment printed SJ 5-14-15)
Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. McMahon, Kotowski, Stephen Schmidt and LeBrun.

HB 483, relative to the commission on primary care workforce issues. (Amendment printed SJ 5-21-15)
Rep. Kotowski moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Kotowski, McMahon, Stephen Schmidt and LeBrun.

HB 450, establishing a commission to study and make recommendations for a common definition of employee. (Amendment printed SJ 5-28-15)
Rep. Infantine moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Infantine, Murphy, Len Turcotte and Chip Rice.

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation. (Amendment printed SJ 4-30-15)
Rep. James Belanger moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. James Belanger, Sterling, Coffey and Porter.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property. (Amendment printed SJ 4-30-15)
Rep. James Belanger moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. James Belanger, Edelblut, Williams and Sterling.

HB 25-FN-A, making appropriations for capital improvements. (Amendments printed SJ 5-28-15)
Rep. Chandler moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Chandler, McConkey, Franklin Tilton and Ebel.

HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges. (Amendment printed SJ 5-7-15)
Rep. Chandler moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Chandler, Franklin Tilton, Cloutier and Ebel.

HB 547, requiring the assessing standards board to make recommendations on the valuation of telecommunications poles and conduits and the assessment of utility property. (Amendment printed SJ 4-30-15)
Rep. Major moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Abrami, Ohm, Lovejoy and Nigrello.

HB 599, relative to the economic revitalization zone tax credit program. (Amendment printed SJ 4-30-15)
Rep. Major moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Abrami, Gallagher, Almy and Azarian.

HB 681-FN-A, establishing a fine for persons convicted of domestic violence and increasing the marriage license fee. (Amendments printed SJ 5-14-15).
Rep. Major moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Lachance, Abrami, Almy and Gallagher.

NONCONCURS WITH AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

SB 8, relative to appropriations for nursing homes.
The President appointed Sens. Forrester, Little and Hosmer.
Rep. Kurk moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Barry, Dan McGuire, Byron and Rosenwald.

SB 40-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.
The President appointed Sens. Carson, Bradley and Lasky.
Rep. Tholl moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Tholl, Welch, Rideout and Burt.

SB 84, relative to the definition of "telemedicine."
The President appointed Sens. Sanborn, Stiles and Kelly.
Rep. Kotowski moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Fothergill, Kotowski, Martel and Ticehurst.

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements.
The President appointed Sens. Birdsell, Boutin and Lasky.
Rep. James Belanger moved that the House accede.
Motion adopted.
The Speaker appointed Reps. James Belanger, Coffey, Porter and Sterling.

CONSENT CALENDAR

Rep. Flanagan moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
Consent Calendar adopted.

SB 35, relative to the definition of wine-fortified. **OUGHT TO PASS.**
Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill removes the word "grape" from the first sentence of the definition of wine-fortified. However, wine-fortified will continue to be defined to include those products made with honey, apples, grapes and other sources. Fortified wine has a higher alcohol concentration than a table wine. Aperitif, marsala, port and sherry are examples with an alcohol content between 15.5% and 24%. Passage of the bill will add products such as honey-based mead to this definition. The liquor commission supports this bill. Vote 19-0.

SB 50, relative to the content of a mortgage foreclosure notice. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John Bordenet for Commerce and Consumer Affairs. This bill requires a mortgage foreclosure notice to include contact information for the mortgagee and banking department. The bill is a request of the commission to study New Hampshire mortgage foreclosure law, new federal regulations, and fair foreclosure practices, established in RSA 479:21-a (2014, 198). Vote 19-0.

Amendment (1366h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the notice required prior to foreclosure of residential property.

Amend the bill by replacing all after the enacting clause with the following:

1 Sale Under the Power, Notice Required for Residential Mortgage. Amend RSA 479:25, II to read as follows:

II.*(a)* A copy of said notice shall be served upon the mortgagor or sent by registered or certified mail to his ***or her*** last known address or to such person as may be agreed upon in the mortgage at least 25 days before the sale***, or in the case of a residential mortgage, at least 45 days before the sale***. The term "mortgagor" shall include the mortgagor and any grantee, assignee, devisee or heir of the mortgagor holding a recorded interest in the mortgaged premises subordinate to the lien of the mortgage, provided that such interest is recorded[;] at least 30 days***, or in the case of a residential mortgage, at least 50 days,*** before the date of the sale, in the registry of deeds for the county in which the mortgaged premises are situated. ***In this paragraph, the term "residential mortgage" means a mortgage on a dwelling, as defined in RSA 397-A:1, VI-c.*** Like notice shall be sent to any person having a lien of record on the mortgaged premises ***not less than 21 days before the sale***, provided that the lien is recorded at least 30 days***, or in the case of a residential mortgage, at least 50 days,*** before the date of the sale in the registry of deeds. [~~The notice shall be sent not less than 21 days before the sale.~~] Such notice of sale shall be sufficient if it fully sets forth the date, time, and place of sale; the town, county, street or highway and street number, if any, of the mortgaged premises; the date of the mortgage; the volume and page of the recording of the mortgage; and the terms of the sale. Any mortgagor or record lienholder who refuses to accept or claim mailed or served notice or who frustrates attempts by the mortgagee to give notice of the sale by failing to give or leave a forwarding address or by other act or omission shall be deemed to be notified of the sale, provided that such mortgagee shall have made a good faith effort to provide such notice.

(b) Notice of the sale as served on or mailed to the mortgagor shall include, for owner-occupied dwellings of 4 or fewer dwelling units:

(1) The address of the mortgagee for service of process and the name of the mortgagee's agent for service of process; and

(2) Contact information for the New Hampshire banking department, along with the statement: "For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at _____ (insert toll-free telephone number). The hotline is a service of the New Hampshire banking department. There is no charge for this call." The banking department shall maintain a toll-free telephone number for this purpose, which shall be disseminated and kept up-to-date through a bulletin on the department's website.

(c) Notice of the sale as served on or mailed to the mortgagor shall ***also in all cases*** include the following language:

"You are hereby notified that you have a right to petition the superior court for the county in which the mortgaged premises are situated, with service upon the mortgagee, and upon such bond as the court may require, to enjoin the scheduled foreclosure sale." Failure to institute such petition and complete service upon the foreclosing party, or his ***or her*** agent, conducting the sale prior to sale shall thereafter bar any action or right of action of the mortgagor based on the validity of the foreclosure.

2 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill extends the notice required prior to foreclosure of residential property. The bill also requires a mortgage foreclosure notice to include contact information for the mortgagee and banking department.

SB 57, relative to qualifications and duties of condominium association board members. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs. This bill, as amended, specifies that a condominium association board of directors shall have a fiduciary relationship with the unit owners. It also provides additional structure for the operation of a condominium association, including requirements for the bylaws, which are the rules that control the association, a framework for how meetings of the association operate, and rules for the membership and actions of the board of directors. Vote 21-0.

Amendment (1644h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the membership and governance of condominium unit owners' associations.

Amend the bill by replacing all after the enacting clause with the following:

1 Contents of Bylaws. RSA 356-B:35 is repealed and reenacted to read as follows:

356-B:35 Contents of the Bylaws.

I. There shall be recorded simultaneously with the declaration a set of bylaws providing for the self-government of the condominium by an association of all the unit owners. The unit owners' association may be incorporated.

II. The bylaws shall provide the means by which the association shall elect a board of directors. The bylaws shall specify the powers and responsibilities of the same and the number and terms of its members. The bylaws may delegate to such board, among other things, any of the powers and responsibilities assigned by this chapter to the unit owners' association. The bylaws shall also specify which, if any, of its powers and responsibilities the unit owners' association or its board may delegate to a managing agent. The board of directors shall have a fiduciary relationship to members of the unit owners' association.

III. The bylaws shall provide for election by the board of directors or, if the declaration requires, by the association members, of a president, treasurer, secretary, and any other officers of the association the bylaws specify.

IV. The bylaws shall specify the qualifications, powers and duties, terms of office, and manner of electing and removing board members and officers and filling vacancies.

V. The bylaws shall specify the officers who may prepare, execute, certify, and record amendments to the declaration on behalf of the association.

VI. The bylaws shall specify a method for the association members to amend the bylaws.

VII. The bylaws shall provide that the unit owners' association shall act on behalf of each unit owner in condemnation proceedings against the common areas of the condominium.

VIII. The bylaws shall contain any provision necessary to satisfy requirements of this chapter or the declaration concerning meetings, voting, quorums, and other activities of the association.

IX. The bylaws shall provide for any matter required by laws of this state other than this chapter to appear in the bylaws of organizations of the same type as the association.

X. Subject to the declaration and this chapter, the bylaws may provide for any other necessary or appropriate matters, including matters that may be adopted as rules.

XI. In any case where an amendment to the declaration is required by RSA 356-B:18, II, III, or IV, the person or persons required to execute the same shall also prepare and execute, and record simultaneously with such amendment, an amendment to the bylaws. The amendment to the bylaws shall allocate votes in the unit owners' association to new units on the same basis as was used for the allocation of such votes to the units depicted on site plans and floor plans recorded pursuant to RSA 356-B:20, I and II, or shall abolish the votes appertaining to former units, as the case may be. The amendment to the bylaws shall also reallocate rights to future common profits, and liabilities for future common expenses not specially assessed, in proportion to relative voting strengths as reflected by the said amendment.

2 Meetings, Voting Procedures, Executive Board Members and Officers. RSA 356-B:37 through 40 are repealed and reenacted to read as follows:

356-B:37 Meetings.

I. Meetings of the unit owners' association shall be held in accordance with the provisions of the condominium instruments at least once each year after the formation of the association. The bylaws shall specify an officer who shall, at least 21 days in advance of any annual or regularly scheduled meeting, and at least 7 days in advance of any other meeting, provide to each unit owner notice of the time, place, and purpose or purposes of such meeting in conformity with RSA 356-B:37-a. The minimum time to give notice may be reduced or waived for a meeting called to deal with an emergency. Purposes of the meeting shall include any budget changes or proposal to remove an officer or member of the board of directors. The secretary or other duly authorized officer of the unit owners' association, who shall also be a member of the board of directors of the unit owners' association, shall prepare an affidavit which shall be accompanied by a list of the addresses of all unit owners currently on file with the association and shall attest that notice of the association meeting was provided to all unit owners on that list in a manner conforming to RSA 356-B:37-a. A

copy of the affidavit and unit owners list shall be available at the noticed meeting for inspection by all owners then in attendance and shall be retained with the minutes of that meeting. The affidavit required in this section shall be available for inspection by unit owners for at least 3 years after the date of the subject meeting.

II. An association shall hold a special meeting of unit owners to address any matter affecting the unit owners or the association if its president, a majority of the board of directors, or unit owners having at least 20 percent, or any lower percentage specified in the bylaws, of the votes in the association request that the secretary call the meeting. If the association does not notify unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly notify all the unit owners of an informational meeting, the purpose of which shall be to present the issue to fellow residents and unit owners. Only matters described in the meeting notice required by RSA 356-B:37-a may be considered at a special meeting.

III. Except as otherwise provided in the bylaws, meetings of the association shall be conducted in accordance with the most recent edition of Roberts' Rules of Order Newly Revised.

IV. Unit owners shall be given a reasonable opportunity at any meeting to comment regarding any matter affecting the association.

V. The declaration or bylaws may allow for meetings of unit owners to be conducted by telephonic, video, or other conferencing process, as provided in RSA 356-B:37-b.

VI. The board of directors shall make copies of the minutes of all meetings available to the unit owners within 60 days of the meeting or 15 days of the date such minutes are approved by the board, whichever occurs first. The association may opt to provide the minutes electronically or publish them on the association website, in which case the owners shall be informed of the web address.

356-B:37-a Notice to Unit Owners. An association shall deliver any notice required to be given by the association under this chapter to any mailing or electronic mail address a unit owner designates. If the unit owner does not designate an address, the association shall deliver notices by hand delivery, United States mail postage paid, or commercially reasonable delivery service to the mailing address of each unit.

356-B:37-b Meetings by Telephonic, Video, or Other Conferencing Process. When the declaration or bylaws provides, the association, committees thereof, and the board of directors may meet by telephonic, video, or other conferencing process if:

I. The meeting notice states the conferencing process to be used and provides information explaining how unit owners may participate in the conference directly or by meeting at a central location or conference connection.

II. The process provides all unit owners the opportunity to hear the discussion and to comment.

356-B:37-c Meetings of the Board of Directors and Committees of the Association. The following requirements apply to meetings of the board of directors and committees of the association authorized to act for the association:

I. Meetings shall be open to the unit owners except during executive sessions.

II. For purposes of this section, a gathering of board members at which the board members do not conduct association business is not a meeting of the board of directors. The board of directors and its members may not use incidental or social gatherings of board members or any other method to evade the open meeting requirements of this section.

III. At each board meeting, the board of directors shall provide a reasonable opportunity for unit owners to comment regarding any matter affecting the association.

IV. Unless the meeting is included in a schedule given to the unit owners or the meeting is called to deal with an emergency, the secretary or other officer specified in the bylaws shall give notice of each meeting of the board of directors to each board member and to the unit owners. The notice shall be given at least 10 days before the meeting and shall state the time, date, place, and agenda of the meeting.

V. If any materials are distributed to the board of directors before the meeting, the board of directors at the same time shall make copies of those materials reasonably available to unit owners, except that the board of directors need not make available copies of unapproved minutes or matters that are to be considered in executive session.

VI. In the case of self-managed community associations, meetings of the board of directors or committees expressly for purposes of implementation of decisions made in open meetings shall be exempt from the requirements of RSA 356-B:37, 356-B:37-a, and this section.

356-B:37-d Executive Session. The board of directors and association committees may hold an executive session only during a regular or special meeting of the board or a committee. No final vote or action may be taken during an executive session. An executive session may be held only to:

I. Consult with the association's attorney.

II. Discuss existing or potential litigation or mediation, arbitration, or administrative proceedings.

III. Discuss labor or personnel matters.

IV. Discuss contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated, including the review of bids or proposals, if premature general knowledge of those matters would place the association at a disadvantage or prevent public knowledge of the matter to be discussed if the board of directors or a committee determines that public knowledge would violate the privacy of any person.

356-B:38 Quorums.

I. Unless the condominium instruments otherwise provide, a quorum shall be deemed to be present throughout any meeting of the unit owners' association until adjourned if persons entitled to cast more than 33 1/3 percent of the votes are present at the beginning of such meeting. The bylaws may provide for a smaller percentage, not less than 25 percent, or for a larger percentage for associations having fewer than 25 units.

II. Unless the condominium instruments specify a larger majority, a quorum shall be deemed to be present throughout any meeting of the board of directors if persons entitled to cast more than 1/2 of the votes in that body are present at the beginning of such meeting.

III. If a quorum is not met for an annual meeting, the board shall reschedule the meeting within 60 days and provide proper notice and proxies.

356-B:39 Voting.

I. The bylaws may allocate to each unit depicted on site plans and floor plans that comply with RSA 356-B:20, I and II, a number of votes in the unit owners' association proportionate to the undivided interest in the common areas appertaining to each such unit.

II. Otherwise, the bylaws shall allocate to each such unit an equal number of votes in the unit owners' association, subject to the following exception: each convertible space so depicted shall be allocated a number of votes in the unit owners' association proportionate to the size of each such space, vis-a-vis the aggregate size of all units so depicted, while the remaining votes in the unit owners' association shall be allocated equally to the other units so depicted.

III. Since a unit owner may be more than one person, if only one of such persons is present at a meeting of the unit owners' association, that person shall be entitled to cast the votes appertaining to that unit. But if more than one of such persons is present, the vote appertaining to that unit shall be cast only in accordance with agreement of a majority in interest of the owners unless the condominium instruments expressly provide otherwise, and such consent shall be conclusively presumed if any one of them purports to cast the votes appertaining to that unit without protest being made forthwith by any of the others to the person presiding over the meeting. Since a person need not be a natural person, the word "person" shall be deemed for the purposes of this paragraph to include, without limitation, any natural person having authority to execute deeds on behalf of any person, excluding natural persons, which is, either alone or in conjunction with another person or persons, a unit owner.

IV.(a) The votes appertaining to any unit may be cast pursuant to a proxy or proxies duly executed by or on behalf of the unit owner, or, in cases where the unit owner is more than one person, by or on behalf of all such persons. A person may not cast undirected proxies representing more than 10 percent of the votes in the association. The proxy or proxies shall list the name of the person who is to vote. No such proxy shall be revocable except by actual notice to the person presiding over the meeting, by the unit owner or by any of such persons, that it be revoked. Any proxy shall be void if it is not dated or if it purports to be revocable without the required notice. The proxy of any person shall be void if not signed by a person having authority, at the time of the execution thereof, to execute deeds on behalf of that person. Any proxy shall terminate automatically upon the adjournment of the first meeting held on or after the date of that proxy. The board of directors shall deliver to the unit owners, together with their notice of meeting and agenda, proxy forms bearing a control number which the board of directors shall correlate to the list of all unit owners then entitled to vote. At the noticed meeting, the board of directors shall recover all proxies and compare them to the control list maintained for that purpose. Any proxies which are on a form other than that provided by the board of directors or which do not correlate with the control list maintained by the board of directors shall be disregarded for purposes of determining whether a quorum was present at the meeting and for purposes of casting any vote at that meeting.

(b) The board of directors shall retain all proxies delivered to the board of directors and all independent written confirmation of any such proxies for inspection by the unit owners for a period of not less than 3 years from the date of the unit owners' association meeting.

V. If 50 percent or more of the votes in the unit owners' association appertain to 25 percent or less of the units, then in any case where a majority vote is required by the condominium instruments or by this chapter, the requirement for such a majority shall be deemed to include, in addition to the specified majority of the votes, assent by the unit owners of a like majority of the units.

VI. If more than 50 percent of the votes are acquired by a single person after developer control is terminated, a 2/3 majority shall be required to change bylaws, budgets, and any contracted property management.

356-B:39-a Voting Without a Meeting. Unless prohibited or limited by the declaration or bylaws, an association may conduct a vote without a meeting. In that event, the following requirements apply:

I. The association shall notify the unit owners that the vote will be taken by ballot in the manner prescribed by RSA 356-B:37-a, and deliver a paper or electronic ballot to every unit owner entitled to vote on the matter.

II. The ballot shall:

(a) Set forth each proposed action and provide an opportunity to vote for or against the action.

(b) Indicate the number of responses needed to meet the quorum requirements.

(c) State the percent of votes necessary to approve each matter other than election of directors.

(d) Specify the time and date by which a ballot must be delivered to the association to be counted, which time and date may not be fewer than 10 days after the date the association delivers the ballot.

(e) Describe the time, date, and manner by which unit owners wishing to deliver information to all unit owners regarding the subject of the vote may do so.

III. Except as otherwise provided in the declaration or bylaws, a ballot is not revoked after delivery to the association by death or disability or attempted revocation by the person that cast that vote.

IV. Approval by ballot pursuant to this section is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action.

356-B:40 Members of the Board of Directors and Officers.

I. Except as provided in the declaration, the bylaws, paragraph II, or other provisions of this chapter, the board of directors acts on behalf of the association. In the performance of their duties, officers and members of the board of directors appointed by the declarant shall exercise the degree of care and loyalty to the association required of a trustee. Officers and members of the board of directors not appointed by the declarant shall exercise the degree of care and loyalty to the association required of an officer or director of a corporation organized under RSA 292, and are subject to the conflict of interest rules governing directors and officers under RSA 292. The standards of care and loyalty described in this paragraph apply regardless of the form in which the association is organized.

II. The board of directors shall not:

(a) Amend the declaration except as otherwise provided in this chapter.

(b) Amend the bylaws.

(c) Terminate the unit owners' association.

(d) Elect members of the board of directors but may fill vacancies in its membership for the unexpired portion of any term or, if earlier, until the next regularly scheduled election of executive board members.

(e) Determine the qualifications, powers, and duties, or terms of office of members of the board of directors.

II-a. An officer shall not directly receive any salary or compensation from the association for the performance of duties as an officer or board member and shall not in any other way benefit financially from service to the association.

II-b. If annually approved by a 2/3 majority of the voting interests present at a properly called meeting of the association, the association may waive the requirements of paragraph II-a.

III. The board of directors shall adopt budgets as provided in RSA 356-B:40-c.

IV. Subject to the provisions of paragraph V, the declaration may provide for a period of declarant control of the association, during which a declarant, or persons designated by the declarant, may appoint and remove the officers and members of the board of directors. A declarant may

voluntarily surrender the right to appoint and remove officers and members of the board of directors before the period ends. In that event, the declarant may require during the remainder of the period that specified actions of the association or board of directors, as described in a recorded instrument executed by the declarant, be approved by the declarant before they become effective. Regardless of the period provided in the declaration, and except as provided in RSA 356-B:36, a period of declarant control terminates no later than the earliest of:

(a) Sixty days after conveyance of 60 percent of the units that may be created to unit owners other than a declarant;

(b) Two years after all declarants have ceased to offer units for sale in the ordinary course of business;

(c) Two years after any right to add new units was last exercised; or

(d) The date the declarant, after giving notice in a record to unit owners, records an instrument voluntarily surrendering all rights to control activities of the association.

V. Not later than 60 days after conveyance of 1/4 of the units that may be created to unit owners other than a declarant, at least one member and not less than 25 percent of the members of the board of directors shall be elected by unit owners other than the declarant. Not later than 60 days after conveyance of 1/2 of the units that may be created to unit owners other than a declarant, not less than 1/2 of the members of the board of directors shall be elected by unit owners other than the declarant.

VI. Not later than the termination of any period of declarant control, the unit owners shall elect a board of directors with at least 3 members, a majority of whom shall be unit owners. Unless the declaration provides for the election of officers by the unit owners, the board of directors shall elect the officers. The members of the board of directors and officers shall take office upon election or appointment.

VII. If the condominium instruments provide that any officer or officers must be unit owners, then any such officer who disposes of all of his or her units in fee or for a term or terms of more than one year shall be deemed disqualified from continuing in office unless the condominium instruments otherwise provide, or unless the officer acquires or contracts to acquire another unit in the condominium under terms giving the officer a right of occupancy thereto effective on or before the termination of the right of occupancy under such disposition or dispositions.

VIII. If the condominium instruments provide that any officer or officers must be unit owners, then notwithstanding the provisions of RSA 356-B:12, I, the term "unit owner" in such context shall, unless the condominium instruments otherwise provide, be deemed to include, without limitation, any director, officer, partner in, or trustee of any person which is, either alone or in conjunction with another person or persons, a unit owner. Any officer who would not be eligible to serve as such were he or she not director, officer, partner in, or trustee of such a person shall be deemed disqualified from continuing in office if the officer ceases to have any such affiliation with that person, or if that person would itself have been deemed to have disqualified itself from continuing in such office under paragraph I were it a natural person holding such office.

IX. Any officer is a suitable person to receive service of process in any proceeding against the association.

X. For the purpose of receipt of notification by a municipality of a local land use board hearing, the officers shall be responsible for serving as agents of the unit owners' association.

356-B:40-a Disclosure of Fees by Managing Agent and Contractors.

I. If the unit owners' association or the board of directors has delegated certain powers and duties to a managing agent, the managing agent shall disclose any referral fees received from contract work performed on behalf of the association to the board of directors prior to the next regularly scheduled board meeting, unless the terms of any referral fees are disclosed in the managing agent's contract with the unit owners' association, in which case disclosure of fees actually received shall not be required.

II. The managing agent also shall disclose to the board of directors the amount and purpose of any fees, other than maintenance fees, received from a unit owner, unless the terms of any such fees are disclosed in the managing agent's contract with the unit owners' association, in which case disclosure of fees actually received shall not be required.

III. Any contractor licensed by the state of New Hampshire who performs work for a unit owner shall disclose on the bill any referral fee charged by the contractor.

356-B:40-b Removal of Officers and Directors.

I. Notwithstanding any provision of the declaration or bylaws to the contrary, unit owners present in person or by proxy at any meeting of the unit owners at which a quorum is present, may remove any member of the board of directors and any officer elected by the unit owners, with or without cause, if the number of votes cast in favor of removal exceeds the number of votes cast in opposition to removal, provided that:

(a) A member appointed by the declarant may not be removed by a unit owner vote during the period of declarant control.

(b) The unit owners may not consider whether to remove a member of the board of directors or an officer elected by the unit owners at a meeting of the unit owners unless that subject was listed in the notice of the meeting.

II. At any meeting at which a vote to remove a member of the board of directors or an officer is to be taken, the member or officer being considered for removal shall have a reasonable opportunity to speak before the vote.

356-B:40-c Adoption of Budgets and Special Assessments.

I. The board of directors, at least annually, shall adopt a proposed budget for the unit owners' association for consideration by the unit owners. Not later than 30 days after adoption of a proposed budget, the board of directors shall provide to all the unit owners a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded. Simultaneously, the board shall set a date not less than 10 days or more than 60 days after providing the summary for a meeting of the unit owners to consider ratification of the budget. Unless at that meeting 2/3 of all unit owners or any larger number specified in the declaration reject the budget, the budget is ratified, whether or not a quorum is present. If a proposed budget is rejected, the budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget.

II. The board of directors, at any time, may propose a special assessment. Except as otherwise provided in paragraph III, the assessment is effective only if the board of directors follows the procedures for ratification of a budget described in paragraph I and the unit owners do not reject the proposed assessment.

III. If the board of directors determines by a 2/3 vote that a special assessment is necessary to respond to an emergency:

(a) The special assessment becomes effective immediately in accordance with the terms of the vote.

(b) Notice of the special assessment shall be provided promptly to all unit owners.

(c) The board of directors may spend the funds paid on account of the special assessment only for the purposes described in the vote.

3 Insurance; Reference Change; Insurance or Bond Required. Amend RSA 356-B:43, II to read as follows:

II. When any policy of insurance has been obtained by or on behalf of the unit owners' association, written notice of the obtainment thereof and of any subsequent changes therein or termination thereof shall be promptly furnished to each unit owner by the officer required to send notices of meetings of the unit owners' association. Such notices shall be sent in accordance with [~~the provisions of the last sentence of RSA 356-B:37~~] ***RSA 356-B:37-a***.

4 Applicability. A unit owners association shall have 2 years from the effective date of this act to amend or revise its bylaws and condominium instruments to comply with the requirements of this act. Any bylaws, condominium instruments, or amendments thereto, adopted after January 1, 2016 shall comply with the requirements of this act.

5 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill revises statutes governing the contents of condominium bylaws, meetings of the unit owners' association, and the qualifications and duties of board members.

SB 73, relative to documentation of age to purchase alcoholic beverages and tobacco products. **OUGHT TO PASS.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. Some New Hampshire store clerks realized that the District of Columbia driver's license was not listed as an acceptable form of identification. This bill fixes the problem and adds United States territories and provinces of Canada. It addresses only licenses and will take effect upon passage. Vote 19-0.

SB 93-FN-A, relative to the definition of beverage. **OUGHT TO PASS WITH AMENDMENT.** Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill will add "fermented malt beverages" with a 6% to 8% alcohol content to the "beverage" definition. New Hampshire will now become more in sync with other New England states by being able to offer the same products for sale that are currently available in other states. The effective date will be upon passage. Vote 19-0.

Amendment (1232h)

Amend the bill by replacing all after the enacting clause with the following:

1 Beverage. Amend RSA 175:1, VIII to read as follows:

VIII. "Beverage" means any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit and specialty beer as defined in RSA 175:1, LXIV-a. The commission may approve any ***fermented malt beverage greater than 6 percent but not to exceed 8 percent or any*** cider greater than 6 percent.

2 Effective Date. This act shall take effect upon its passage.

SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs. This bill, as amended, creates two study committees: one to study the sale of beer and wine at farmers markets and one to study the potential sales of powdered alcohol in New Hampshire. The bill also adds to RSA 175:1 III, to include powdered alcohol in the definition of alcohol by adding three words: solids, powders, crystals. Vote 21-0.

Amendment (1683h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study allowing the sampling of beer or wine at farmer's markets, establishing a committee to study powdered or crystalline alcohol, and relative to the definition of alcohol.

Amend paragraph I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Four members of the house of representatives, 2 of whom shall be members of the commerce and consumer affairs committee, appointed by the speaker of the house of representatives.

Amend the bill by replacing all after section 5 with the following:

6 Committee Established. There is established a committee to study powdered or crystalline alcohol.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, 2 of whom shall be members of the commerce and consumer affairs committee, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall study powdered or crystalline alcohol. The committee's study shall include, but not be limited to, considering whether the sale of powdered or crystalline alcohol should be banned in New Hampshire or if not the regulations that should be in place before the sale of powdered or crystalline alcohol may begin in New Hampshire. The committee shall review legislation relative to powdered or crystalline alcohol established in other states.

IV. The committee shall solicit information from any person or entity the committee deems relevant to its study.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

7 Alcohol; Definition. Amend RSA 175:1, III to read as follows:

III. "Alcohol" means that substance known as ethyl alcohol or hydrated oxide of ethyl alcohol which is commonly produced by the fermentation or distillation of grain, starch, molasses, sugar, potatoes or other substances, including all ***solids, powders, crystals,*** dilutions and mixtures of these substances.

8 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study allowing the sampling of beer or wine at farmer's markets.

This bill establishes a committee to study powdered or crystalline alcohol.

This bill also adds solids, powders, and crystals to the definition of alcohol.

SB 111, making changes to the life and health insurance guaranty association. **OUGHT TO PASS.** Rep. Laura M. Jones for Commerce and Consumer Affairs. A request of the insurance department, this bill makes changes to the law governing the Life and Health Insurance Guaranty Association. It expands the definition of resident, and makes other changes, to provide clarity and to align NH statute with National Association of Insurance Commissioners' (NAIC) model law. The guaranty association is part of a non-profit, unincorporated, state-based statutorily created system that pays certain covered claims of insolvent insurance companies' policyholders and claimants. New Hampshire law requires that all licensed property and casualty insurance companies that write covered lines of insurance in the State of New Hampshire be a member. Vote 17-2.

SB 119, relative to the regulation of consumer guaranty contracts and debt cancellation or debt suspension agreements by the insurance department. **OUGHT TO PASS WITH AMENDMENT.** Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill expands lines of business for service contracts and establishes procedures for the regulation of guaranteed asset protection waivers offered in New Hampshire. The bill changes the regulating authority of guaranteed asset protection waivers from the insurance department to the banking department, which already regulates the entities that sell this product. SB 119, as amended, provides guidance to regulators and makes compliance easier. Vote 19-0.

Amendment (1343h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the regulation of consumer guaranty contracts by the insurance department and guaranteed asset protection waivers by the banking department.

Amend the bill by replacing sections 2 and 3 with the following:

2 New Section; Retail Installment Sales of Motor Vehicles. Amend RSA 361-A by inserting after section 7-a the following new section:

361-A:7-b Guaranteed Asset Protection Waivers. Persons subject to or licensed under this chapter may offer, sell, and provide guaranteed asset protection waivers (GAP waivers), as defined in RSA 361-E:2, I(f), in accordance with RSA 361-E. Any violation of RSA 361-E is a violation of this chapter.

3 Consumer Guarantee Contracts; Prohibited Acts and Terms. Amend RSA 415-C:7, III(c) to read as follows:

(c) The consumer does not have the right to bring an action to enforce the terms of the contract or otherwise challenge the denial of a claim which the consumer believes is wrongful[~~, subject to the provisions or any alternative dispute resolution procedure specified in the consumer guaranty contract~~]. ***Consumer guaranty contracts may include provisions requiring the parties to submit to alternative dispute resolution, including a provision requiring binding arbitration that would expressly limit the right of the consumer to bring an action in a court of law, if such provision complies with and does not impede the rights of the consumer as provided under RSA 542. All arbitration provisions shall state that they are subject to RSA 542***; or

Amend the bill by replacing all after section 4 with the following:

5 Requirements and Prohibitions as to Retail Installment Contracts. Amend RSA 361-A:7, II(d) to read as follows:

(d) The amount, if any, included for insurance, ***guaranteed asset protection waiver,*** and other benefits, specifying the types of coverage and benefits, stating separately by rate or in terms of dollars the amount charged for credit sickness, accident and life insurance, whether issued under a group policy or not;

6 New Subparagraph; Consumer Guaranty Contracts; Definitions. Amend RSA 415-C:1, III(c) by inserting after subparagraph (6) the following new subparagraph:

(7) Debt cancellation or debt suspension contracts between a creditor and a borrower for the cancellation or suspension of the debt.

7 New Chapter; Guaranteed Asset Protection Waivers. Amend RSA by inserting after chapter 361-D the following new chapter:

CHAPTER 361-E
GUARANTEED ASSET PROTECTION WAIVERS

361-E:1 SCOPE.

I. The purpose of this chapter is to provide a framework within which retail sellers and sales finance companies may offer guaranteed asset protection waivers in New Hampshire.

II. This chapter shall not apply to:

(a) An insurance policy offered by an insurer under the insurance laws of this state; or

(b) A debt cancellation or debt suspension contract being offered in compliance with 12 C.F.R. part 37, 12 C.F.R. part 721, or other federal law.

361-E:2 Definitions.

I. In this chapter:

(a) "Administrator" means a person, other than an insurer or creditor that performs administrative or operational functions pursuant to guaranteed asset protection waiver programs.

(b) "Borrower" means any retail buyer, as defined in RSA 361-A:1, IX.

(c) "Creditor" means:

(1) Any retail seller, as defined in RSA 361-A:1, XII; or

(2) Any sales finance company, as defined in RSA 361-A:1, XIII; or

(3) The assignees of any of the foregoing to whom the credit obligation is payable.

(d) "Finance agreement" means a retail installment contract for the purchase of a motor vehicle governed by RSA 361-A.

(e) "Free look period" means the period of time from the effective date of the guaranteed asset protection (GAP) waiver until the date the borrower may cancel the contract without penalty, fees, or costs to the borrower.

(f) "Guaranteed asset protection waiver" or "GAP waiver" means a contractual agreement wherein a creditor agrees for a separate charge to cancel or waive all or part of amounts due on a borrower's finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle, which agreement shall be part of, or a separate addendum to, the finance agreement.

(g) "Insurer" means an insurance company licensed, registered, or otherwise authorized to do business under the insurance laws of this state.

(h) "Motor vehicle" means a motor vehicle, as defined in RSA 361-A:1, VII.

(i) "Person" includes an individual, company, association, organization, partnership, business trust, corporation, limited liability company, and every other form of legal entity.

II. The terms defined in this section are not intended to provide actual terms required in guaranteed asset protection waivers.

361-E:3 Requirements for Offering Guaranteed Asset Protection Waivers.

I. GAP waivers may, at the option of the creditor, be sold for a single payment or may be offered with a monthly or periodic payment option.

II. Any cost to the borrower for a guaranteed asset protection waiver entered into in compliance with the Truth in Lending Act, 15 U.S.C. section 1601 et seq., and the regulations adopted thereunder, as amended from time to time, shall be separately stated and shall not be considered a finance charge or interest.

III. The GAP waiver shall remain a part of the finance agreement upon the assignment, sale, or transfer of such finance agreement by the creditor.

IV. Neither the extension of credit, the term of credit, nor the term of the related motor vehicle sale shall be conditioned upon the purchase of a GAP waiver.

V. Funds received or held by a creditor or administrator and belonging to an insurer, creditor or administrator pursuant to the terms of a written agreement shall be held by such creditor or administrator in a fiduciary capacity.

361-E:4 Disclosures. Guaranteed asset protection waivers shall disclose, as applicable, in writing and in clear, understandable language that is easy to read, the following:

I. The name and address of the initial creditor and the borrower at the time of sale, the identity of any administrator if different from the creditor, and a statement that the initial creditor may assign the GAP waiver with the finance agreement to a sales finance company or other assignee.

II. The purchase price and the terms of the GAP waiver, including the requirements for protection, conditions, or exclusions associated with the GAP waiver.

III. That the borrower may cancel the GAP waiver within a free look period as specified in the waiver, and shall be entitled to a full refund of the purchase price, if no benefits have been provided.

IV. The procedure the borrower shall follow, if any, to obtain GAP waiver benefits under the terms and conditions of the waiver, including a telephone number and address where the borrower may apply for waiver benefits.

V. Whether or not the GAP waiver is cancellable after the free look period and the conditions under which it may be cancelled or terminated, including the procedures for requesting any refund due.

VI. That in order to receive any refund due in the event of a borrower's cancellation of the GAP waiver agreement or early termination of the finance agreement after the free look period of the GAP waiver, the borrower, in accordance with terms of the waiver, shall provide a written request to cancel to the creditor, administrator or such other party. If the GAP waiver is being cancelled due to the termination of the finance agreement, a written notice to cancel shall be sent to the creditor, administrator or other such party within 90 days of the occurrence of the event terminating the finance agreement.

VII. The methodology for calculating any refund of the unearned purchase price of the GAP waiver due, in the event of cancellation of the GAP waiver or early termination of the finance agreement.

VIII. That neither the extension of credit, the terms of the credit, nor the terms of the related motor vehicle sale, shall be conditioned upon the purchase of the GAP waiver.

361-E:5 Cancellation.

I. Guaranteed asset protection waiver agreements may be cancellable or noncancellable after the free look period. GAP waivers shall provide that if a borrower cancels a waiver within the free look period, the borrower shall be entitled to a full refund of the purchase price, if no benefits have been provided. The free look period shall not be less than 30 days.

II. In the event of a borrower's cancellation of the GAP waiver after the agreement has been in effect beyond the free look period, the borrower may be entitled to a refund of any unearned portion of the purchase price of the GAP waiver unless the GAP waiver provides otherwise. In order to receive a refund, the borrower shall, in accordance with the terms of the waiver, provide a written request to cancel to the creditor, administrator, or other such party. If the GAP waiver is being cancelled due to the early termination of the finance agreement, the borrower shall provide a written request to the creditor, administrator, or other party, within 90 days of the event terminating the finance agreement. No refund shall be paid or credited if benefits have been provided.

III. If the cancellation of a GAP waiver occurs as a result of a default under the finance agreement or the repossession of the motor vehicle associated with the finance agreement, or any other termination of the finance agreement, any refund due may be paid directly to the creditor or administrator and applied as set forth in paragraph IV.

IV. Any cancellation refund under paragraphs I, II, or III, may be applied by the creditor as a reduction of the amount owed under the finance agreement, unless the borrower can show that the finance agreement has been paid in full.

8 Repeal. RSA 415-C:1, III(b)(3), relative to debt cancellation or debt suspension contracts, is repealed.

9 Effective Date. This act shall take effect 60 days after its passage.

SB 145, relative to wine consumed at cocktail lounges. **OUGHT TO PASS.** Rep. Barbara Biggie for Commerce and Consumer Affairs. Currently, a full-service restaurant with an on-premise license can permit customers to bring in table wine beforehand and it will be stored on premise. Then, customers can ask for their wine and the restaurant will uncork and serve it. The licensee may charge a corkage fee. This bill will allow licensees with a cocktail license to also provide this service, which is supported by the liquor commission. Vote 19-0.

SB 163, relative to wholesale hospital-to-hospital laboratory and testing services. **OUGHT TO PASS.** Rep. Edward A. Butler for Commerce and Consumer Affairs. This bill clarifies statutory language to allow hospital-to-hospital use of laboratory and testing services. This is especially important for our small and rural hospitals who cannot perform laboratory services in as cost-effective a way as some of our larger hospitals. This bill allows a hospital-to-hospital transaction and clarifies it as

different from provider-to-patient transaction. This makes it possible to separate these from the Medicaid 'usual and customary' charges and allows the DHHS commissioner to ensure that hospitals can contract these services with each other. Vote 19-0.

SB 189, relative to liquor manufacturers. **OUGHT TO PASS.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill requires that all liquor manufacturers ferment and distill liquor from raw materials and it expands their authority to sell their products. It also clarifies that a manufacturer can sell wholesale, known as bond transfer in bulk, within New Hampshire and to other states, as well as selling up to 3,000 9-liter cases (or its equivalent) at their manufacturing site. The definitions of "liquor manufacturer" and "rectifier" are updated. Where a manufacturer produces from raw materials and can sell at their own site, the rectifier produces liquor by combining it with other products and cannot sell at their site. There is consensus by the liquor commission with representatives from lodging, nano-breweries, liquor and wine manufacturers. Vote 19-0.

SB 216-FN, relative to sales of alcoholic beverages by manufacturers. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura M. Jones for Commerce and Consumer Affairs. This bill, which authorizes sales of samples of alcoholic beverages by manufacturers for on-premises consumption, is the companion bill to HB 177. HB 177 was signed into law on May 5th of this year. Therefore, SB 216-FN is no longer needed and the committee recommends ITL. Vote 19-0.

SB 254, establishing a committee to study the provision of services to the public through peer-to-peer or sharing economy businesses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph A. Hannon for Commerce and Consumer Affairs. This bill establishes a committee to study the provision of services to the public by Uber and existing taxi services. This would establish a committee to study the adequacy and safety of services to the public through Uber and existing taxi services. It would also study the current taxi regulations in cities and towns in New Hampshire. It will study whether such businesses are over or under regulated. It will also investigate how other states and municipalities are addressing this. Vote 18-1.

Amendment (1523h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the provision of services to the public by Uber and existing taxi services.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the adequacy and safety of services to the public through Uber and existing taxi services.

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall study:

(a) The adequacy of services provided by Uber and existing taxi services, including safety to the public.

(b) Current taxi regulations in cities and towns in New Hampshire.

(c) Whether such businesses are over or under regulated.

(d) Whether appropriate safeguards are provided by these services and whether regulations and oversight measures should be established by the state.

(e) How other states and municipalities are addressing this issue.

II. The committee may solicit input from state agencies, comparable businesses, and other vested entities.

AMENDED ANALYSIS

This bill establishes a committee to study the provision of services to the public by Uber and existing taxi services.

SB 32, relative to state agency budgetary reporting requirements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. The bill expands the department of administrative services reporting to include an on-demand report available to all departments, delivered to the fiscal committee

on September 30, December 31 and March 31 and available to the governor any time especially when considering spending adjustments. The committee worked with a variety of state agencies to craft a report that would become useful without adding workload to existing staff. This report uses existing data, existing systems and can be written once and run multiple times with no additional effort. Therefore no additional staff is needed nor will there be an impact on existing staff workload. The report has various levels of details from summary to budget line detail. The focus of the report is the state-generated funding expenditures (excludes federal funding and other non-state generated funding sources) of general funds, education funds, highway funds, turnpike funds, DOT funds, liquor funds, sweepstakes funds and lottery commission funds. It is intended to provide a picture of current expenditures and will be a tool to measure spending versus budgeted. Vote 20-0.

Amendment (1900h)

Amend the bill by replacing all after the enacting clause with the following:

1 Monthly Statements; Budget Report by Administrative Services. Amend RSA 9:11 to read as follows:

9:11 Monthly Statements.

I. Once each month the director, division of accounting services shall make a report to each state agency showing in detail the total amount expended during the previous month and the accumulated amount expended to date from July 1. The report shall also show the total encumbrances outstanding and the balance available for the remainder of the fiscal year. Whenever it appears that a department is spending at a rate which will deplete its appropriation before June 30 the director, division of accounting services shall immediately report the fact to the governor who shall thereupon investigate and may, if necessary, order the department head to reduce expenditures in proportion to the balance available and the remaining time in the fiscal year. When such an order has been made by the governor the director, division of accounting services shall establish a limit of expenditures for the department and shall not allow any expenditure by said department in excess of said limit unless and until said order has been modified by the governor. Provided, however, that the provisions of this section shall not apply to appropriations made for land, permanent improvements, and other capital projects.

II.(a) For the funds and entities identified in subparagraph (b), the department of administrative services shall prepare and submit to the fiscal committee of the general court a combined report describing the status of the state's fund expenditures for the current fiscal year. The report shall include a comparison of actual expenditures to projected expenditures, and an explanation for any substantial variance, as provided by each entity. The department shall submit such report for the quarters ending September 30, December 31, and March 31, and any time the governor submits to the fiscal committee, pursuant to RSA 9:16-b, a plan to reduce state expenditures.

(b)(1) For the general fund and education trust fund, the judicial branch and any agency that receives appropriations from the general fund or education trust fund.

(2) For the fish and game fund, the fish and game department.

(3) For the highway fund, including the cost of collections, the department of safety and the department of transportation.

(4) For the turnpike fund, the department of transportation.

(5) For the liquor fund, the liquor commission.

(6) For the sweepstakes fund, the lottery commission.

2 Effective Date. This act shall take effect December 31, 2015.

AMENDED ANALYSIS

This bill requires the department of administrative services to compile quarterly reports regarding expenditures from certain funds.

SB 112, requiring the Medicaid program to cover telehealth services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank A. Byron for Finance. As amended, this bill requires the department of health and human services to develop a plan to reimburse Medicaid providers for telehealth services by specialists (excluding primary care). The department must demonstrate to the fiscal committee by February 1 of next year that this newly-covered service does not increase overall costs for the Medicaid program. With approval from the fiscal committee, a state plan will be submitted to the Centers for Medicare and Medicaid Services, and the benefit will start July 1, 2016. A follow-up financial impact report on the first six months of the

service will be presented to the finance committees of the house and senate and the health and human services oversight committee by March 1, 2017. In order to compare apples to apples, the report will not include the population covered by the NH Health Protection Program. Vote 23-0.

Amendment (1946h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Medicaid Coverage of Telehealth Services. Amend RSA 167 by inserting after section 4-c the following new section:

167:4-d Medicaid Coverage of Telehealth Services.

I. In this section, "telehealth services" shall comply with 42 C.F.R. section 410.78. The use of the term "telemedicine" shall comply with the Centers for Medicare and Medicaid Services requirements governing the aforementioned telehealth services.

II.(a) Coverage under this section shall include the use of telehealth or telemedicine for Medicaid-covered services provided within the scope of practice of a physician or non-physician practitioner as a method of delivery of medical care:

(1) Which is an appropriate application of telehealth services provided by medical specialists only, excluding primary care, as determined by the department based on the Centers for Medicare and Medicaid Services regulations; and

(2) By which an individual shall receive medical services from a physician or non-physician practitioner who is an enrolled Medicaid provider without in-person contact with that provider.

(b) Nothing in this section shall be construed to prohibit the Medicaid program from providing coverage for only those services that are medically necessary and subject to all other terms and conditions of the coverage.

III. This section shall be conditioned upon review and approval of a state plan amendment submitted by the department to the Centers for Medicare and Medicaid Services.

2 New Subparagraph; Telecommunications Planning and Development Advisory Committee; Implementation of Medicaid Coverage of Telehealth Services; Duty Added. Amend RSA 12-A:46, IV by inserting after subparagraph (h) the following new subparagraph:

(i) Advising and assisting the department of health and human services in the implementation of Medicaid coverage of telehealth services as required under RSA 167:4-d. This shall include, but not be limited to, assisting in the development of a detailed work plan for implementation of Medicaid coverage of telehealth services and identifying funding or other tangible resources for consultative services drawing on the expertise in the telehealth community and or academic institutions.

3 Applicability. The department of health and human Services shall develop a telehealth services program which shall commence on July 1, 2016, and which shall not result in increased costs to the Medicaid program. The program shall not commence without approval of the fiscal committee of the general court which shall occur by February 1, 2016.

4 Department of Health and Human Services; Implementation of Medicaid Coverage of Telehealth Services; Report Required. The department of health and human services shall report to the house and senate finance committees and the oversight committee on health and human services, established in RSA 126-A:13, on the financial impact of the program for the period July 1, 2016 through December 31, 2016. The report shall be submitted on or before March 1, 2017, and shall not include the financial impact of telehealth services coverage of newly-eligible adults from 0-133 percent of the federal poverty level (FPL) who are eligible for medical assistance under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i) ("newly eligible adults") and their spouse and dependents if applicable.

5 Effective Date. This act shall take effect upon its passage

AMENDED ANALYSIS

This bill requires the Medicaid program to cover telehealth services upon approval by the legislative fiscal committee.

SB 192-FN, permitting the department of revenue administration to conduct employee candidate background checks and establishing the position of tax policy analyst within the department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy L. Twombly for Finance. This bill, as amended, makes a few changes for the DRA. It allows the department of revenue administration to conduct employee candidate background checks,

which the commissioner said was needed for employees who will handle state money and who live out of state. The commissioner may request only a state records check or both a federal and state records check, to be conducted through the division of state police. No appropriation is needed for this. The bill also establishes the position of tax policy analyst within the agency while abolishing a tax auditor position. The commissioner testified there would be no appropriation needed for this change because money from the budgeted position that is being abolished will be transferred to the new position in order to fund it. The new position more appropriately represents the work being done by this staff member, who is not actually auditing. The third housekeeping task is to codify that the commissioner hires certain unclassified positions. No appropriation is needed for this as this is current policy. Vote 22-0.

Amendment (1703h)

Amend RSA 21-J:6-d as inserted by section 3 of the bill by replacing it with the following:

21-J:6-d Tax Policy Analyst.

I. There is established within the department the unclassified position of tax policy analyst who shall be responsible for:

(a) Advising the commissioner and assistant commissioner of recommended changes in state statutes, rules, and administrative policies and procedures;

(b) Coordinating all matters of legislative and tax policy assigned to the department; and

(c) Representing the department before the general court.

II. The commissioner shall appoint the unclassified position of tax policy analyst who shall serve at the pleasure of the commissioner.

III. The salary of the tax policy analyst shall be as specified in RSA 94:1-a.

SB 169, relative to permissible uses of electronic benefit transfer (EBT) cards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services & Elderly Affairs. This bill, as amended, is the product of the interim study committee charged in 2014 to address the management and oversight of cash and product benefits provided to qualifying New Hampshire citizens using the electronic benefits transfer/EBT card. The EBT card is used for the SNAP (food stamp) benefit program and the four cash assistance programs known as TANF, APTD, OAA & ANB. In order to improve and enhance oversight and tighten management controls, the committee worked collaboratively with stakeholders and the department to address EBT card restrictions by location via technology enhancements and improved education outreach. The bill reflects the committee consensus to support a cost effective methodology to enhance EBT rule compliance and reduce the incidence of misuse of the cash benefit. We move towards this goal by increasing the management of ATM terminals and point of sale store registers utilizing the department's new merchant category codes tool now in place. Vote 17-0.

Amendment (1724h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the use of electronic benefits transfer (EBT) cards.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraphs; Prohibited Use of Electronic Benefit Transfer Card. Amend RSA 167:7-b, II by inserting after subparagraph (d) the following new subparagraphs:

(e) Business establishments primarily engaged in the practice of body piercing, branding, or tattooing.

(f) Cigar stores and stands, pipe stores, smoke shops, and tobacco shops using merchant category code 5993 identified in the Internal Revenue Bulletin 2004-31 Revenue Procedure 2004-43 and any subsequent Internal Revenue Service publication thereto.

(g) Marijuana dispensaries, excluding an alternative treatment center as defined in RSA 126-X:1, I.

2 New Hampshire Department of Health and Human Services; Restrictions on the Use of Electronic Benefit Transfer (EBT) Cards; Education Program. On or before November 1, 2015, the department of health and human services shall develop an education program for cash assistance recipients and retail establishments that accept EBT cards. The program shall provide information regarding the permitted and prohibited use of cash assistance under RSA 167:7-b, including penalties for misuse by businesses and program participants.

3 New Hampshire Department of Health and Human Services; Restrictions on the Use of Electronic Benefit Transfer (EBT) Cards; Electronic Blocking at Prohibited Locations; Reporting Requirement. On or before November 1, 2015, the department of health and human services shall provide an interim report with a final report on or before July 1, 2016 to the health and human services oversight committee established under RSA 126-A:13 on the use and effectiveness of electronically blocking the use of EBT cards at prohibited locations identified under RSA 167:7-b, II.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill prohibits the use of EBT cards in business that primarily engage in body piercing, branding, or tattooing; cigar stores and smoke shops; and marijuana dispensaries. The bill also requires the department of health and human services to establish an education program relative to the use of EBT cards and requires the department to report on the effectiveness of electronic blocking of EBT cards at prohibited locations.

SB 41, establishing a commission to study government immunity from suit and accountability by its citizens. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for Judiciary. This bill, as amended, creates a committee of four house members and three senators to study and recommend legislation dealing with New Hampshire Supreme Court decisions regarding immunity from suit and open ended limitation periods on these suits that are permitted. The overall issue is whether the state ought to be treated like a private citizen or corporation for purposes of litigation or whether different rules ought to apply regarding suits by or against the state. Immunity is of long standing and of great significance to potential litigants. The judiciary committee believes this size and composition of this study committee is both workable and fairly balanced. Vote 17-2.

Amendment (1708h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study government immunity from suit and accountability by its citizens.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee to Study Government Immunity from Suit and Accountability by its Citizens.

I. There is established a committee to study government immunity from suit and accountability by its citizens.

II. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Three members of the senate, appointed by the president of the senate.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall study the recent state supreme court decisions construing or ruling on state statutes regarding negligence and intentional torts by governmental entities, the lack of statutes of limitations for enforcement actions by governmental entities, and the denial of equitable or declaratory relief to challenge actions by all levels of government. The goal of the committee shall be to make recommendations for legislative action consistent with part I, articles 8 and 14 of the New Hampshire constitution to strike a proper balance for government to be held accountable to the citizens in our courts.

V. The first meeting of the committee shall be called by the first-named senate member and shall be held within 30 days of the effective date of this section. A chairperson shall be selected by the members of the committee. The appropriate legislative research entities shall provide assistance and support to the committee as necessary. Four members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation or constitutional amendments to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 15, 2015.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study government immunity from suit and accountability by its citizens.

SB 77-L, authorizing the creation of a special purpose village district within the town of Danbury. **INEXPEDIENT TO LEGISLATE.**

Rep. James E. Coffey for Municipal and County Government. This bill proposes to create a "village district" for the primary purpose of issuing tax exempt bonds for the construction of water and sewer facilities to serve a vacation housing development at Ragged Mountain in the town of Danbury. The proposed village district would have no residents and be controlled by a three member board of commissioners, two appointed by the developer and one by the selectmen. It then attempts, over time, to transition to a village district as defined under RSA 52. The committee felt that this was legislation that benefits one corporation with lower borrowing costs, and the borrower would be the village district, not the developer. The mechanics of how the village district would function were also suspect and with the state defining a municipality as a city, town or village district creating a new type of village district would lead to more confusion over what is a village district. The committee's bipartisan recommend Inexpedient to Legislate reflects our great concern with creating a municipality with no residents for the sole purpose of issuing tax exempt municipal bonds. Vote 14-1.

SB 235, relative to the condominium act and the land sales full disclosure act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin W. Sterling for Municipal and County Government. This bill, as amended, changes the financial statement requirements for principals that hold a 25% interest in a development corporation. The attorney general is in full agreement with this change. The bill further allows for a financing institution to extend a line of credit to a large development that is to be built in phases to reauthorize funding for additional phases without having to resubmit documentation to the attorney general's office for each phase of the process. Again the attorney general is in agreement with this change. Vote 16-0.

Amendment (1505h)

Amend the bill by replacing all after the enacting clause with the following:

1 Condominium Act; Application for Registration Fee; Financial Statements. Amend RSA 356-B:51, I(u) to read as follows:

(u) Any other information including any current financial statement, which the attorney general by [~~his~~] rules reasonably requires for the protection of purchasers. ***If the declarant is a corporation, limited liability company, or other entity, personal financial statements from all principals holding more than a 25 percent ownership interest in the declarant, certified as true and complete by the individual principals, accompanied by federal income tax returns for the 2 most recent full calendar years, may be submitted in lieu of financial statements for the declarant.*** Financial information filed with the attorney general shall not be disclosed publicly except in connection with a hearing, civil action, or criminal action involving the party who submitted the information.

2 Condominium Act; Inquiry and Investigation; Reasonable Assurance. Amend RSA 356-B:53, I(b) to read as follows:

(b) That there is reasonable assurance that all uncompleted improvements and amenities will be completed as represented. ***Reasonable assurance includes, but is not limited to, institutional financing in the form of a revolving line of credit in an amount equal to one-fourth of the total cost of constructing the units being registered, so long as (i) the loan documents provide (a) that funds may be re-advanced during the term of the loan to construct the units, and (b) that the institutional lender shall notify the attorney general in the event that the revolving line of credit is cancelled and (ii) in addition to the funds allocated to unit construction, the applicant shall provide evidence of adequate funds to complete any infrastructure, such as roads and utilities, necessary to service the units being registered. This subparagraph shall not prohibit the attorney general from finding other forms of financing to provide reasonable assurance. If the attorney general determines that a revolving line of credit has been cancelled, or is no longer adequate to pay for the cost of constructing the units that have been registered, the attorney general may issue a temporary cease and desist order pursuant to RSA 356-B:61***;

3 Land Sales Full Disclosure Act; Application for Registration; Financial Statement. Amend RSA 356-A:5, I(v) to read as follows:

(v) Any other information, including any current financial statement, which the attorney general by [~~his~~] reasonable rules requires for the protection of purchasers. ***If the subdivider is a limited liability company, corporation, or other entity, personal financial statements from all principals holding more than a 25 percent ownership interest in the subdivider, certified as true and complete by the individual principals, accompanied by federal income tax returns for the 2 most recent full calendar years, may be submitted in lieu of financial statements for the subdivider.*** Financial information filed with the attorney general shall not be disclosed publicly except in connection with a hearing, civil action, or criminal action involving the party who submitted the information.

4 Land Sales Full Disclosure Act; Inquiry and Examination; Reasonable Assurance. Amend RSA 356-A:7, I(b) to read as follows:

(b) That there is reasonable assurance that all proposed improvements will be completed as represented. ***Reasonable assurance includes, but is not limited to, institutional financing in the form of a revolving line of credit in an amount equal to one-fourth of the total cost of constructing the residential units being registered, so long as (i) the loan documents provide (a) that funds may be re-advanced during the term of the loan to construct the residential units, and (b) that the institutional lender shall notify the attorney general in the event that the revolving line of credit is cancelled and (ii) in addition to the funds allocated to residential unit construction, the applicant shall provide evidence of adequate funds to complete any infrastructure, such as roads and utilities, necessary to service the units being registered. This subparagraph shall not prohibit the attorney general from finding other forms of financing to provide reasonable assurance. If the attorney general determines that a revolving line of credit has been cancelled, or is no longer adequate to pay for the cost of constructing the units that have been registered, the attorney general may issue a temporary cease and desist order pursuant to RSA 356-A:12;***

5 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill defines the financial statements required if the declarant or subdivider is not a natural person. The bill also describes the type of financial information required to provide reasonable assurance that all proposed improvements and amenities will be completed.

SB 241, relative to authorization for the town of Rindge to make capital expenditures from a trust fund. **OUGHT TO PASS.**

Rep. Franklin W. Sterling for Municipal and County Government. This bill amends chapter 370 from the 1957 session of the general court. Currently 50% of the voters on the previous election voter checklist must attend a deliberative session to vote on withdrawal of funds no matter if they actually voted in that election. Rindge is now an SB 2 town so this bill changes the requirement to 3/5 of those in attendance and voting to make the requirement the same as all other trust fund votes to expend. Vote 15-0.

SB 242-L, relative to amending the budget in towns that have adopted official ballot voting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin W. Sterling for Municipal and County Government. This bill, as amended, creates a study committee to investigate possible changes to official ballot towns in regards to the adoption of both a final budget and a default budget. The sponsors of the bill would like to find a method for placing amendments to the budget adopted at the deliberative session on the official ballot. They also would like to investigate allowing for changes to the default budget to be placed on the official ballot. Budget and default budget adoption has been an issue for so long it is time to attempt to arrive at a final solution. Vote 15-0.

Amendment (1510h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study methods of adopting a budget in towns that have adopted official ballot voting.

1 Committee Established. There is established a committee to study methods of adopting of a final budget in towns that have adopted official ballot voting.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study:

I. Methods of adopting a final and default budget in official ballot towns.

II. Methods of voting on the budget and budget amendments on the official ballot.

4 Chairperson. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study methods of adopting a budget in towns that have adopted official ballot voting.

SB 88, establishing a committee to study public-private partnerships for intermodal transportation. **OUGHT TO PASS.**

Rep. John R. Cloutier for Public Works and Highways. This bill would simply establish a five member committee of three representatives and two senators to study the possibilities and propose legislation for forming public-private partnerships for intermodal transportation. Under the bill the study committee would have until Jan. 1, 2016 to submit its findings. Vote 14-1.

SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors. **OUGHT TO PASS.**

Rep. Martin L. Jack for Public Works and Highways. This bill authorizes the Pease Development Authority to enter into agreements containing language required by the U.S. Army Corps of Engineers for the Piscataqua River turning basin dredging project. Without this change, the project cannot go forward using the funds that were appropriated in HB 25. The project enlarges the turning basin to accommodate modern vessels. In concert with channel widening that is part of the new Sarah Mildred Long Bridge design, the project is critical to operational safety and the continued economic viability of several upstream ports. It is possible that the language in SB 132 is broad enough to authorize other similar projects without future legislative action. Vote 15-0.

SCR 1, recognizing the contribution of Bhutanese refugees to New Hampshire, and requesting the United States government to work diligently on resolving the Bhutanese refugee crisis, reaching an agreement to allow the option of repatriation, and promoting human rights and democracy in Bhutan. **OUGHT TO PASS.**

Rep. Robert L. Theberge for State-Federal Relations and Veterans Affairs. This resolution would permit the state of NH to be the first of several states having Bhutanese refugee communities to provide a voice for democracy. Furthermore the resolution is a request to members of Congress to work toward resolving the Bhutanese refugee crisis. Through this resolution the members of both the senate and the house urge congress to allow for repatriation and the promotion of human rights. The State of New Hampshire must advocate and provide a voice for Bhutanese refugees who do not have a voice. The members of the committee recognize that the Bhutanese struggle for justice has been non-violent. Vote 13-0.

SB 104-FN, relative to licensure of research organizations by the pharmacy board. **OUGHT TO PASS.**

Rep. Susan W. Almy for Ways and Means. The policy of licensing pharmaceutical and drug research companies under the pharmacy board to enhance the state's attractiveness to these valuable biotech companies was passed by the house already. The ways & means committee agreed that it is reasonable for the license fee to be set at or below that for regular pharmacies and that since the pharmacy board sets all its other fees, this one should be done the same way. Vote 16-0.

SB 120-FN, relative to applicants for secondary game operator licenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick F. Abrami for Ways and Means. This bill allows the racing and charitable gaming commission to issue provisional secondary game operator licenses. In certain communities in which volume of gaming activity increases seasonally, there is a need to hire seasonal employees. The current delay in waiting for the formal background checks for these seasonal job candidates is resulting in many good candidates finding other jobs, especially within the student population. The original bill was amended to correct a drafting error in which one section contradicted another section. This amendment also addressed a concern brought up by the racing and charitable gaming commission that the provisional license be good for 90 days. The committee agreed with the commission that this should be changed to 45 days and that the formal background checks can be performed within this 45 day timeframe. The amendment was passed on a unanimous, bipartisan basis; The amendment replaced a majority of the bill and the bill as amended was also passed on a unanimous bipartisan basis. Vote 16-0.

Amendment (1279h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Secondary Game Operator License Application; Specific Requirements. Amend RSA 287-D:10 by inserting after paragraph V the following new paragraph:

VI. Upon receipt of a completed application under this section, and at the request of the applicant, the commission may issue a provisional license, valid for up to 45 days, under rules adopted by the commission under RSA 541-A. If the commission denies the license, the provisional license shall expire upon the applicant's receipt of such denial. If the applicant requests a provisional license under this paragraph, he or she shall submit a fee of $10 to the commission, in addition to the application fee for the license, at the time of such request.

SB 160, relative to duplicate vessel registration certificates. **OUGHT TO PASS.**

Rep. Robert L. Nigrello for Ways and Means. This bill allows a vessel owner to obtain a duplicate registration by putting into statute the process. This process is for the vessel owner to submit an application to the department of motor vehicles for a duplicate registration certificate for a payment of a $15 fee. Vote 16-0.

SB 232-FN-A, exempting certain leases from the real estate transfer tax. **OUGHT TO PASS.**

Rep. Bill H. Ohm for Ways and Means. This bill establishes the authority of the legislature, rather than administrative rules, to decide if and how ground leases are taxable transactions. It clarifies that ground leases less than 99 years are not taxable. Vote 16-0.

REGULAR CALENDAR

SB 52, establishing a commission to study the issue of residential tenancies in foreclosed properties. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bart Fromuth for the Majority of Commerce and Consumer Affairs. The purpose of the committee was to study the impact of foreclosure on those that are renting the foreclosed property. The majority felt that there was nothing to study as the situation, while unfortunate, could not be improved with state intervention. The minority felt that there could be some protected period of pro-longed tenancy, however, it would be inappropriate to force a mortgage lender to extend their losses on a non paying property for some or all the remaining life of the tenancy. Vote 11-8.

Rep. Edward A. Butler for the Minority of Commerce and Consumer Affairs. In the 2014 report from the SB 306 Commission on NH Mortgage Foreclosure Law and Fair Foreclosure Practices, several recommendations were made, one of which was to create such a study of the effect of foreclosure on tenants. Though many issues were clarified & proposals made, some of which this body has passed, the issue of the effect of foreclosure on tenants remained unresolved. The Federal Protecting Tenants at Foreclosure Act ("PTFA"), which gave tenants the right to remain in place until the later of 90 days, or the expiration of their leases, expired at the end of 2014. The minority believes that this study is needed to find a way to protect tenants from precipitous eviction while taking into account the needs of new building owners in foreclosure situations.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Butler spoke against.

Rep. Fromuth spoke in favor.

On a division vote, 188 members having voted in the affirmative and 127 in the negative, the majority committee report was adopted.

SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit R. Williams for the Majority of Commerce and Consumer Affairs. This bill allows private employers to establish a policy granting a veterans' preference in employment decisions. Title VII of the Civil Rights Act prohibits private companies from offering hiring preference to veterans, unlike the federal government, but it allows states to create their own exemption, and that is the purpose of this bill. The commerce committee amended the senate version of the bill by removing the section that allows the preference to apply during layoffs. Vote 12-7.

Rep. Bart Fromuth for the Minority of Commerce and Consumer Affairs. Although this bill passed commerce by a vote of 12-7, the first motion of ITL lost by a single vote. SB 55 was introduced at the request of a single entity; Wal-Mart. Wal-Mart hires a significant number of veterans across the country, including 490 in New Hampshire and has a national campaign in place announcing this preference. That advertising campaign has not been launched in New Hampshire as of yet, for fear that they might be sued for unfair hiring practices. In order to clear the way for the ad campaign, Wal-Mart has requested this legislation. Wal-Mart could not identify any instances in which other companies advertising their preference for veterans had been sued in New Hampshire and as such the minority was not convinced there was an actual need for this bill.

Majority Amendment (1605h)

Amend RSA 275-G:1, III as inserted by section 1 of the bill by replacing it with the following:

III. "Veteran's preference employment policy" means a private employer's policy for hiring or promoting a veteran over another qualified applicant or employee.

Amend RSA 275-G:2, II as inserted by section 1 of the bill by replacing it with the following:

II. Shall be applied uniformly to employment decisions regarding hiring and promotion.

AMENDED ANALYSIS

This bill permits private employers to establish a policy for granting a preference to veterans in and hiring promotion decisions.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 331 - NAYS 37

YEAS - 331

BELKNAP

Dumais, Russell	Fields, Dennis	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	Luther, Robert	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	McConnell, Jim
Parkhurst, Henry	Pearson, William	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin			

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Duane
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Notter, Jeanine
O'Brien, Michael
O'Brien, William
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Stepanek, Stephen
Sullivan, Daniel
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hill, Gregory
Hoell, J.R.
Horn, Werner
Karrick, David
Kenison, Linda
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
Moffett, Howard
Myler, Mel
Parent, Jason
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Pamela
Gordon, Richard

Green, Dennis	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Heffron, Frank	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia
Lundgren, David	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McMahon, Charles	Milz, David	Moody, Marcia	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick
Sherman, Thomas	Simpson, Alexis	Spillane, James	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas
Tucker, Pamela	Vose, Michael	Ward, Gerald	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn
DiSesa, Len	Hannon, Joseph	Horrigan, Timothy	Kaczynski, Jr., Thomas
Kaen, Naida	Knowles, Robert	Leeman, Don	Pitre, Joseph
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Sprague, Dale	Stevens, Audrey	Turcotte, Leonard	Wall, Janet
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

NAYS - 37

BELKNAP

Aldrich, Glen	Fisher, Robert	Spanos, Peter	Sylvia, Michael

CARROLL

McConkey, Mark

CHESHIRE

Phillips, Larry

GRAFTON

Brown, Rebecca	Ladd, Rick		

HILLSBOROUGH

Bouldin, Amanda	Eastman, Eric	Ferreira, Elizabeth	Fromuth, Bart
Gagne, Larry	Halstead, Carolyn	Murphy, Keith	Rouillard, Claire
Simmons, Tammy	Zaricki, Nick		

MERRIMACK

Hess, David	Kidder, David	Kotowski, Frank	McGuire, Dan

ROCKINGHAM

Dean-Bailey, Yvonne	Harris, Jeffrey	Hodgdon, Bruce	Kellogg, Shem
Major, Norman	Osborne, Jason	Schroadter, Adam	True, Chris

STRAFFORD

Groen, Warren	Jones, Laura	Mullen, John	Spang, Judith
Verschueren, James			

SULLIVAN

Bridge, Ernest	Grenier, James		

and the majority committee report was adopted and ordered to third reading.

SB 188-FN, revising banking, credit union, and trust laws. **OUGHT TO PASS.**
Rep. Laurie J. Sanborn for Commerce and Consumer Affairs. As a comprehensive revision of our banking statutes, SB 188 modernizes, recodifies, organizes and streamlines the regulations for banks, credit unions, trust companies and family trust companies. This bill replaces 21 existing chapters that were established in a patchwork fashion over more than 100 years, with five new chapters. The bill was drafted over the course of the last year by members of the NH Bankers Association, the NH Credit Union League, the NH Trust Council and the state banking department. The legislation had hundreds of hours of input from all stakeholders over numerous meetings, and is strongly supported by members of this highly regulated industry. The intention was to provide a thoughtful and efficient body of law that will serve New Hampshire's financial institutions well into the future by providing much needed clarity and organization while maintaining strong existing consumer protections. We believe that SB 188 accomplishes its goals and makes compliance easier and more efficient for the regulators and the regulated. Vote 19-0.

The question being adoption of the committee report of Ought to Pass.
Rep. Williams offered floor amendment (2020h).

Floor Amendment (2020h)

Amend the title of the bill by replacing it with the following:

AN ACT revising banking, credit union, and trust laws, and relative to sales of beer in refillable containers.

Amend the bill by replacing all after section 70 with the following:

71 New Paragraph; Standard Refillable Beer Container. Amend RSA 175:1 by inserting after paragraph LXX the following new paragraph:

LXXI. "Standard refillable beer container" means a 64-ounce amber glass container meeting the specifications established by the commission.

72 New Section; Refillable Beer Container Licenses. Amend RSA 178 by inserting after section 31 the following new section:

178:32 Refillable Beer Container Licenses.

I. An on-premises or off-premises licensee maintaining an inventory of at least 200 different beer labels and paying an additional fee of $240 shall be issued a refillable beer container license authorizing the licensee to fill standard refillable containers in accordance with this section.

II. The licensee shall attend a training program approved by the commission within 45 calendar days of the training program's availability. The training program shall include instructions in the sales, inspection, cleaning, and filling of standard refillable beer containers and sanitation standards for tap lines and equipment.

III. Off-premises licensees shall comply with the following:

(a) The licensee shall designate an area of the premises where at least 3 filling stations shall be permanently installed.

(b) The designated area shall be separated from customers by a counter or other barrier.

(c) Containers may only be filled by the licensee and the licensee's employees.

IV. If the commission notifies the licensee that a manufacturer objects to sales of its products in refillable containers, the licensee shall not fill any container with beer manufactured by that manufacturer.

V. The licensee may fill only standard refillable beer containers and only during hours established by the commission in rules adopted pursuant to RSA 541-A. The licensee shall comply with sanitation standards for tap lines and containers, if established by the commission in rules.

VI. An open-evident seal or closed package shall be applied by the licensee to the standard refillable beer container after filling.

73 New Paragraph; Standard Refillable Beer Container. Amend RSA 179:33 by inserting after paragraph I the following new paragraph:

I-a. The commission shall establish specifications for standard refillable beer containers. Specifications shall include:

(a) Placement of a rectangular label of indelible white material so that the product and the licensee making the fill may be identified with erasable marker.

(b) Placement of a label containing alcohol consumption warnings, cleaning instructions, a New Hampshire logo design, and information to help locate New Hampshire brewers.

74 Effective Date.

I. Section 13 of this act shall take effect July 1, 2015.

II. Sections 54, 55, 57, 61 and 62 of this act shall take upon its passage.

III. Sections 53, 56, 71, 72, and 73 shall take effect 60 days after its passage.

IV. The remainder of this act shall take effect October 1, 2015.

AMENDED ANALYSIS

This bill:

I. Amends RSA 383 relative to the banking department as part of the general revision of state laws relative to banks and credit unions.

II. Adds a new chapter RSA 383-A that consolidates, updates, and simplifies administrative procedures and enforcement actions relative to banks and credit unions.

III. Adds a new chapter RSA 383-B that consolidates, updates, and clarifies laws relative to depository banks and bank holding companies.

IV. Adds a new chapter RSA 383-C that consolidates, updates, and clarifies laws relative to trust companies.

V. Adds a new chapter RSA 383-D that consolidates, updates, and clarifies laws relative to family trust companies.

VI. Adds a new chapter RSA 383-E that consolidates, updates, and clarifies laws relative to credit unions.

VII. Amends miscellaneous banking statutes affected by these revisions.

VIII. Repeals laws superseded by the new chapters.

IX. Renames the uniform trust code as the New Hampshire trust code and amends provisions relative to limitation periods applicable to claims against trustees, trust advisors, and trust protectors.

X. Identifies the persons who are interested persons for purposes of a nonjudicial settlement agreement.

XI. Identifies the primacy of settler intent in construing or modifying the terms of a trust.

XII. Authorizes the sale of beer in refillable containers.

Rep. Williams spoke in favor.

Rep. Hunt spoke against.

On a division vote, 162 members having voted in the affirmative and 203 in the negative, floor amendment (2020h) failed.

The question now being adoption of the committee report of Ought to Pass.

Rep. Gidge spoke against.

Rep. Sanborn spoke in favor and yielded to questions.

On a division vote, 349 members having voted in the affirmative and 17 in the negative, the committee report was adopted and ordered to third reading.

SB 218-FN, making spoofing an unfair and deceptive act under the consumer protection law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Bordenet for the Majority of Commerce and Consumer Affairs. The department of justice (DOJ) states this bill adds a new section to the Consumer Protection Act, RSA 358-A, prohibiting a practice commonly known as "spoofing," which includes, among other acts, transmitting to the consumer misleading or inaccurate caller identification information. The DOJ states this bill could necessitate additional investigative resources although prosecution of the offenders could be accomplished with existing resources. Vote 13-8.

Rep. David Luneau for the Minority of Commerce and Consumer Affairs. The committee heard testimony from law enforcement and the attorney general with regards to an increase in telemarketing scams. Scammers use false and deceptive caller ID information pretending to be the IRS, the sheriff's office or other family members in order to trap their victims, often senior citizens. SB 218 improves an existing statute to prohibit telephone solicitors from using false, misleading or deceptive caller ID information.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Gidge spoke against.

Rep. Luneau spoke against and yielded to questions.

Rep. Bates spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 158

YEAS - 203

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Wright, Ted

CHESHIRE

Bordenet, John
Hunt, John
McConnell, Jim
Phillips, Larry
Sterling, Franklin

COOS

Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Bouldin, Amanda
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hopper, Gary
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Fesh, Robert
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter

Major, Norman
McMahon, Charles
Oligny, Jeffrey
Schroadter, Adam
Tamburello, Daniel
Tucker, Pamela
Wood, David
Manning, John
Milz, David
Osborne, Jason
Spillane, James
Tasker, Kyle
Vose, Michael
Matthews, Carolyn
Nigrello, Robert
Packard, Sherman
Sweeney, Joe
Thomas, Douglas
Welch, David
McKinney, Betsy
O'Connor, John
Potucek, John
Sytek, John
True, Chris
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Knowles, Robert
Sprague, Dale
Bickford, David
Horrigan, Timothy
Leeman, Don
Turcotte, Leonard
Cheney, Catherine
Jones, Laura
Mullen, John
Wuelper, Kurt
Groen, Warren
Kaczynski, Jr., Thomas
Pitre, Joseph

SULLIVAN

Bridge, Ernest
Smith, Steven
Gagnon, Raymond
Grenier, James
Laware, Thomas

NAYS - 158

CARROLL

Buco, Thomas
Butler, Edward
Nelson, Bill
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Eaton, Daniel
Mann, John
Robertson, Timothy
Tilton, Benjamin
Ames, Richard
Emerson, Susan
Parkhurst, Henry
Sad, Tara
Berch, Paul
Johnsen, Gladys
Pearson, William
Shepardson, Marjorie
Chase, Cynthia
Ley, Douglas
Roberts, Kris
Tatro, Bruce

COOS

Fothergill, John
Theberge, Robert
Froburg, Alethea
Thomas, Yvonne
Hatch, William
Moynihan, Wayne

GRAFTON

Abel, Richard
Cooney, Mary
Maes, Kevin
Smith, Suzanne
Almy, Susan
Ford, Susan
Massimilla, Linda
Townsend, Charles
Bennett, Travis
Hennessey, Martha
Nordgren, Sharon
White, Andrew
Brown, Rebecca
Higgins, Patricia
Piper, Wendy

HILLSBOROUGH

Backus, Robert
Cohen, Alan
Donovan, Daniel
Goley, Jeffrey
Harvey, Suzanne
Leishman, Peter
O'Brien, Michael
Roberts, Carol
Snow, Kendall
Vann, Ivy
Baroody, Benjamin
Cornell, Patricia
Edwards, Elizabeth
Gorman, Mary
Heath, Mary
Long, Patrick
O'Neil, William
Rosenwald, Cindy
Soucy, Timothy
Walsh, Robert
Booras, Efstathia
Cote, David
Freitas, Mary
Guerette, C. Lee
Herbert, Christopher
Mangipudi, Latha
Peterson, Ken
Shattuck, Gilman
Sullivan, Daniel
Williams, Kermit
Brown, Pamela
DiSilvestro, Linda
Gidge, Kenneth
Hansberry, Daniel
Jack, Martin
Manley, Jonathan
Porter, Marjorie
Shaw, Barbara
Takesian, Charlene
Woodbury, David

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Kenison, Linda
Myler, Mel
Rogers, Katherine
Turcotte, Alan
Bartlett, Christy
Doherty, David
Gile, Mary
Luneau, David
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Bradley, Paula
Ebel, Karen
Henle, Paul
MacKay, James
Ratzki, Mario
Schuett, Dianne
Wheeler, Deborah
Carson, Clyde
Frazer, June
Karrick, David
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen

ROCKINGHAM

Barnes, Arthur	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Elliott, Robert
Ferrante, Beverly	Francese, Paula	Friel, William	Gannon, William
Gordon, Pamela	Green, Dennis	Heffron, Frank	Lovejoy, Patricia
McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura	Peckham, Michele
Prudhomme-O'Brien, Katherine	Rice, Frederick	Sherman, Thomas	Simpson, Alexis
Ward, Gerald	Webb, James		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	

SULLIVAN

Cloutier, John	Converse, Larry	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Oxenham, Lee	Rollins, Skip	Schmidt, Andrew

and the majority committee report was adopted.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:25 p.m.

(Speaker Jasper in the Chair)

REGULAR CALENDAR CONT'D

SB 223-FN, relative to name availability for business organizations. **OUGHT TO PASS.** Rep. Bart Fromuth for Commerce and Consumer Affairs. The committee believes that this bill will greatly improve the process of new business registration in the state. At present the secretary of state's office wields significant discretion in its approval of name availability for new business registrants. During testimony the committee learned that an alarming percentage of initial applications are rejected due to the subjective and unclear standards utilized by the secretary of state's office. While the current process in place is intended to avoid name confusion, testimony from business as well as Live Free and Start indicated that despite the best of intentions the current guidelines were an impediment to new business. It became clear to the majority of the committee that the bright line standards contained in this bill were needed to remove the unnecessary confusion, cost and lack of administrative efficiency in the current approval process. As a result the majority of the committee, along with the governor, recommends Ought to Pass. Vote 15-4.
Rep. Gidge spoke against.
Rep. Fromuth spoke in favor.
On a division vote, 314 members having voted in the affirmative and 35 in the negative, the committee report was adopted and ordered to third reading.

SB 266-FN, adopting the Uniform Securities Act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Laurie J. Sanborn for the Majority of Commerce and Consumer Affairs. As amended by the committee, SB 266 puts New Hampshire on the map as having one of the strongest bodies of securities law in terms of its 1) friendliness for the industry (both regulators and the regulated), 2) friendliness for start up companies, and 3) friendliness for investors. Passage of this bill makes NH more competitive and shows the world that we are committed to modernizing, streamlining and improving the environment for businesses and investors in our state. New Hampshire's current securities act, RSA 421-B, is based on the Uniform Securities Act of 1956, and is viewed as outdated and confusing. This bill brings our law in line with the model Revised Uniform Security Act (RUSA) of 2002, as amended in 2005. In a report titled "Improving New Hampshire' Startup Environment," economist and community college system chancellor Ross Gittell, and UNH professor

of law John Orcutt, identified securities regulation reform as one of their top recommendations for improving our state's competitiveness in attracting and retaining businesses in our state, and this bill accomplishes the specific suggestions described in that report. SB 266 does not add additional regulatory requirements or costs to doing business, and in fact is expected to lower costs by removing complexity, idiosyncrasy, hurdles and traps for the unwary. SB 266 does not weaken investor protection, and in fact makes it stronger by keeping New Hampshire's existing statute of limitations at 6 years, and extending the standard RUSA limit of one year for discovery to two years. Excitingly, this bill modifies New Hampshire's limited offering transaction exemption to bring it in line with best practices among the states. Issuers would be allowed to conduct private placements to up to 25 purchasers in a 12 month period (without a lifetime limit), up from 10 purchases under the current statute (with a lifetime limit of 25). Increasing the number of sales allowed per investment round should allow startups to raise more of their needed capital in each round. Approximately 18 other states have adopted versions of this Revised Uniform Securities Act. Without passage of SB 266, New Hampshire will be increasingly viewed as being non-uniform, more difficult and more expensive to conduct business. As amended by the committee, SB 266 significantly eases capital formation and business formation in New Hampshire. Vote 15-6.

Rep. Kermit R. Williams for the Minority of Commerce and Consumer Affairs. The minority, like the majority, supports the goal of this bill. The bill was written to make our state more "business-friendly;" to make the process of selling securities and funding new businesses in New Hampshire easier and more similar to other states. The minority's objection to the bill is the loss of more than $1 million annually in state revenue from unnecessary changes in the securities law. Two changes, one of which was an inadvertent omission and one of which was introduced in the committee amendment, reduce the fees that the secretary of state's office receives from the creation of companies and the registration of securities. We heard testimony that these costs were already much lower than in other states, so the revenue loss is not necessary to encourage business investment in the state. While we continue to support the process streamlining which the bill provides, we believe that the missing revenue should be restored.

Majority Amendment (1743h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Hampshire Uniform Securities Act. RSA 421-B is repealed and reenacted to read as follows:

UNIFORM SECURITIES ACT

Article 1

General Provisions

421-B:1-101 Short Title. This chapter may be cited as the New Hampshire Uniform Securities Act.

421-B:1-102 Definitions. In this chapter, unless the context otherwise requires:

(1) "Advertisement" means any notice, circular, letter, or other written communication that is given to more than one person or any other announcement in any publication, by radio, television, or other electronic media, that offers:

(A) Any analysis, report, or publication concerning securities or which is to be used in making any determination as when to buy or sell securities; or

(B) Any graph, chart, formula, or other device to be used in making any determination concerning when to buy or sell any security, or which security to buy or sell.

(2) "Affiliate" means any person directly or indirectly controlling, controlled by, or under common control with another person.

(3) "Agent" means an individual, other than a broker-dealer, who represents a broker-dealer in effecting or attempting to effect purchases or sales of securities or represents an issuer in effecting or attempting to effect purchases or sales of the issuer's securities. But a partner, officer, or director of a broker-dealer or issuer, or an individual having a similar status or performing similar functions is an agent only if the individual otherwise comes within the term. The term does not include an individual excluded by order issued under this chapter.

(4) "Bank" means any of the following:

(A) a banking institution organized under the laws of the United States;

(B) a member bank of the Federal Reserve System;

(C) a bank organized under the laws of the state of New Hampshire;

(D) a trust company;

(E) any other banking institution, whether incorporated or not, doing business under the laws of a State or of the United States, a substantial portion of the business of which consists of receiving deposits or exercising fiduciary powers similar to those permitted to be exercised by national banks under the authority of the Comptroller of the Currency pursuant to section 1 of Public Law 87-722 12 U.S.C. section 92a, and which is supervised and examined by a state or federal agency having supervision over banks, and which is not operated for the purpose of evading this chapter; and

(F) a receiver, conservator, or other liquidating agent of any institution or firm included in subsection (1)(A), (1)(B), (1)(C), (1)(D), or (1)(E).

(5)(A) "Branch office" means:

(i) With regard to an investment adviser, any location other than the main office, identified by any means to broker-dealers, other investment advisers, the public, customers, or clients as a location at which an investment adviser conducts an investment advisory business.

(ii) With regard to a broker-dealer, any location where one or more agents regularly conducts the business of effecting any transactions in, or inducing or attempting to induce the purchase or sale of, any security, or is held out as such, excluding:

(a) Any location that is established solely for one or both of customer service and back-office-type functions where no sales activities are conducted and that is not held out to the public as a branch office;

(b) Any location that is the agent's primary residence; provided that:

(1) Only one agent, or multiple agents who reside at that location and are members of the same immediate family, conduct business at the location;

(2) The location is not held out to the public as an office and the agent does not meet with customers at the location;

(3) Neither customer funds nor securities are handled at that location;

(4) The agent is assigned to a designated branch office, and such designated branch office is reflected on all business cards, stationery, advertisements, and other communications to the public by such agent;

(5) The agent's correspondence and communications with the public are subject to the broker-dealer's supervision;

(6) Electronic communications, such as e-mail are made through the electronic system of the broker dealer;

(7) All orders for securities are entered through the designated branch office or an electronic system established by the broker-dealer that is reviewable at the branch office;

(8) Written supervisory procedures pertaining to supervision of activities conducted at the residence are maintained by the broker-dealer; and

(9) A list of the residence locations are maintained by the broker-dealer;

(c) Any location, other than a primary residence, that is used for securities business for less than 30 business days in any one calendar year, provided the broker-dealer complies with the provisions of subsections (5)(A)(ii)(b)(2) through (8);

(d) Any office of convenience, where associated persons occasionally and exclusively by appointment meet with customers, which is not held out to the public as an office;

(e) Any location that is used primarily to engage in non-securities activities and from which the agent effects no more than 25 securities transactions in any one calendar year; provided that any advertisement or sales literature identifying such location also sets forth the address and telephone number of the location from which the agent conducting business at the non-branch locations is directly supervised;

(f) The floor of a registered national securities exchange where a broker-dealer conducts a direct access business with public customers;

(g) A temporary location established in response to the implementation of a business continuity plan; or

(h) Any other location not within the intent of subsection (5) as the secretary of state may determine.

(B) Notwithstanding the exclusions provided in subsection (5)(A)(ii), any location that is responsible for supervising the activities of agents of the broker dealer at one or more non-branch locations of the broker-dealer shall be a branch office.

(C) "Business day" as used in subsection (5) shall not include any partial day provided that the agent or investment adviser representative spends at least 4 hours of such day at his or her designated branch office during the hours that such office is normally open for business.

(6) "Broker-dealer" means a person engaged in the business of effecting transactions in securities for the account of others or for the person's own account. The term does not include:

(A) an agent;

(B) an issuer;

(C) a bank;

(D) an international banking institution; or.

(E) a person excluded by order issued under this chapter.

(7) "Common enterprise" means an enterprise in which the fortunes of the investor are interwoven with those of either the person offering the investment, a third party, or one or more investors. This definition is met if (a) the investor joins with the promoter or some third party to accomplish a common goal, such as earning a profit for the investor, whether the promoter or third party shares in the profits or is merely paid a commission or fee for his or her services, or (b) 2 or more investors join together in a common goal of making a profit.

(8) "Complaint" means a written statement submitted after an incident complained of by the secretary of state or any other person that sets forth specific allegations of wrongdoing and requests administrative action by the secretary of state.

(9) "CRD" means the Central Registration Depository maintained by FINRA.

(10) "Department" means the department of state.

(11) "Depository institution" means:

(A) a bank; or

(B) a savings institution, trust company, credit union or similar institution, whether incorporated or not, doing business under the laws of a state or of the United States, a substantial portion of the business of which consists of receiving deposits or share accounts insured to the maximum amount authorized by statute by the Federal Deposit Insurance Corporation, National Credit Union Share Insurance Fund or a successor authorized by federal law and which is supervised and examined by a state or federal agency having supervision over such institutions, and which is not operated for the purpose of evading this chapter. The term does not include:

(i) an insurance company or other organization primarily engaged in the business of insurance;

(ii) a Morris Plan bank; or

(iii) an industrial loan company that is not an "insured depository institution" as defined in the Federal Deposit Insurance Act, 12 U.S.C. section 1813(c)(2), or any successor federal statute.

(C) The inclusion of an institution in this definition shall not be construed as a grant of power or authority for such institution to engage in activities under this chapter that are not permitted under the laws governing such institution.

(12) "Ex parte communication" means the transmittal of information or argument concerning the merits of the subject matter of any adjudicatory proceeding to or from a decision maker in that proceeding without proper notice to and opportunity to participate in by all parties.

(13) "Federal covered investment adviser" means a person registered under the Investment Advisers Act of 1940.

(14) "Federal covered security" means a security that is, or upon completion of a transaction will be, a covered security under section 18(b) of the Securities Act of 1933 15 U.S.C. section 77r(b).

(15) "Filing" means the receipt under this chapter of a record by the secretary of state.

(16) "FINRA" means the Financial Industry Regulatory Authority.

(17) "Fraud," "deceit," and "defraud" are not limited to common law deceit.

(18) "Guaranteed" means guaranteed as to payment of all principal and all interest.

(19) "Hearing" means the receipt and consideration by the department of evidence or argument, or both, in accordance with this chapter and other applicable law, and includes:

(A) Conducting trial-type evidentiary hearings;

(B) Directing the filing of exhibits, affidavits, memoranda or briefs;

(C) Directing the delivery of oral argument; or

(D) Any combination of these or similar methods.

(20) "IARD" means the Investment Adviser Registration Depository maintained by FINRA.

(21) "Industrial bond," "industrial revenue bond," or "industrial development bond" means any obligation issued by a governmental unit (including the United States, any state, any political subdivision of a state, or any agency, or corporate or other instrumentality, of one or more of them) other than a general obligation of a governmental unit having power to tax property or of an agency of the state of New Hampshire:

(A) Which is issued as part of an issue, all or a major portion of the proceeds of which are to be used directly or indirectly in any trade or business, and

(B) The payment of the principal or interest on which (under the terms of such obligation or any underlying arrangement) is, in whole or in major part:

(i) Secured by any interest in property used or to be used in a trade or business or in payment in respect of such property, or

(ii) To be derived from payments in respect of property or borrowed money, used or to be used in a trade or business.

(22) "Institutional investor" means any of the following, whether acting for itself or for others in a fiduciary capacity:

(A) a depository institution, trust company, or international banking institution;

(B) an insurance company;

(C) a separate account of an insurance company;

(D) an investment company as defined in the Investment Company Act of 1940;

(E) a broker-dealer registered under the Securities Exchange Act of 1934;

(F) an employee pension, profit-sharing, or benefit plan if the plan has total assets in excess of $10,000,000 or its investment decisions are made by a named fiduciary, as defined in the Employee Retirement Income Security Act of 1974, that is a broker-dealer registered under the Securities Exchange Act of 1934, an investment adviser registered or exempt from registration under the Investment Advisers Act of 1940, an investment adviser registered under this chapter, a depository institution, a trust company, or an insurance company;

(G) a plan established and maintained by a state, a political subdivision of a state, or an agency or instrumentality of a state or a political subdivision of a state for the benefit of its employees, if the plan has total assets in excess of $10,000,000 or its investment decisions are made by a duly designated public official or by a named fiduciary, as defined in the Employee Retirement Income Security Act of 1974, that is a broker-dealer registered under the Securities Exchange Act of 1934, an investment adviser registered or exempt from registration under the Investment Advisers Act of 1940, an investment adviser registered under this chapter, a depository institution, a trust company, or an insurance company;

(H) a trust, if it has total assets in excess of $10,000,000, its trustee is a depository institution or trust company, and its participants are exclusively plans of the types identified in subsection (22)(F) or (22)(G), regardless of the size of their assets, except a trust that includes as participants self-directed individual retirement accounts or similar self-directed plans;

(I) an organization described in 26 U.S.C. section 501(c)(3), corporation, Massachusetts trust or similar business trust, limited liability company, or partnership, not formed for the specific purpose of acquiring the securities offered, with total assets in excess of $10,000,000;

(J) a small business investment company licensed by the Small Business Administration under the Small Business Investment Act of 1958, 15 U.S.C. section 681(c) with total assets in excess of $10,000,000;

(K) a private business development company as defined in section 202(a)(22) of the Investment Advisers Act of 1940, 15 U.S.C. section 80b-2(a)(22), with total assets in excess of $10,000,000;

(L) a federal covered investment adviser acting for its own account;

(M) a "qualified institutional buyer" as defined in Rule 144A(a)(1), other than Rule 144A(a)(1)(i)(H), adopted under the Securities Act of 1933, 17 C.F.R. 230.144A;

(N) a "major U.S. institutional investor" as defined in Rule 15a-6(b)(4)(i) adopted under the Securities Exchange Act of 1934, 17 C.F.R. 240.15a-6;

(O) any other person, other than an individual, of institutional character with total assets in excess of $25,000,000 not organized for the specific purpose of evading this chapter; or

(P) any other person specified by order issued under this chapter.

(23) "Insurance company" means a company organized as an insurance company whose primary business is writing insurance or reinsuring risks underwritten by insurance companies and which is subject to supervision by the insurance commissioner or a similar official or agency of a state.

(24) "Insured" means insured as to payment of all principal and all interest.

(25) "International banking institution" means an international financial institution of which the United States is a member and whose securities are exempt from registration under the Securities Act of 1933.

(26) "Investment adviser" means a person that, for compensation, engages in the business of advising others, either directly or through publications or writings, as to the value of securities or the advisability of investing in, purchasing, or selling securities or that, for compensation and as a part of a regular business, issues or promulgates analyses or reports concerning securities. The term includes a financial planner or other person that, as an integral component of other financially related services, provides investment advice to others for compensation as part of a business or that holds itself out as providing investment advice to others for compensation. The term does not include:

(A) an investment adviser representative;

(B) a lawyer, accountant, engineer, or teacher whose performance of investment advice is solely incidental to the practice of the person's profession;

(C) a broker-dealer or its agents whose performance of investment advice is solely incidental to the conduct of business as a broker-dealer and that does not receive special compensation for the investment advice;

(D) a publisher of a bona fide newspaper, news magazine, or business or financial publication of general and regular circulation;

(E) a federal covered investment adviser;

(F) a bank;

(G) any other person that is excluded by the Investment Advisers Act of 1940 from the definition of investment adviser;

(H) a person whose advice, analyses or reports relate only to securities exempted under RSA 421-B:2-201(1);

(I) a person who has no place of business in this state if the person's only clients in this state are other investment advisers, federal covered advisers, broker-dealers, banks, trust companies, insurance companies, investment companies as defined under the Investment Company Act of 1940, pension or profit-sharing trusts, small business investment companies as defined under the Small Business Investment Act of 1958, or other financial institution or institutional buyer, whether acting for itself or in a fiduciary capacity;

(J) a person who transacts business in the field of insurance, provided such business is solely and exclusively in the field of insurance;

(K) a real estate broker, with regards to his or her real estate investment advice, who does not promote or sell any interest in any limited partnership;

(L) a person who has no place of business in this state and who, during the preceding 12-month period, has not had more than 5 clients, other than those listed in subsection (26)(I), who are residents of this state; and

(M) any other person excluded by order issued under this chapter.

(27) "Investment adviser representative" means an individual employed by or associated with an investment adviser or federal covered investment adviser and who makes any recommendations or otherwise gives investment advice regarding securities, manages accounts or portfolios of clients, determines which recommendation or advice regarding securities should be given, provides investment advice or holds herself or himself out as providing investment advice, receives compensation to solicit, offer, or negotiate for the sale of or for selling investment advice, or supervises employees who perform any of the foregoing. The term does not include an individual who:

(A) performs only clerical or ministerial acts;

(B) is an agent whose performance of investment advice is solely incidental to the individual acting as an agent and who does not receive special compensation for investment advisory services;

(C) is employed by or associated with a federal covered investment adviser, unless the individual has a "place of business" in this state as that term is defined by rule adopted under section 203A of the Investment Advisers Act of 1940, 15 U.S.C. section 80b-3a, and is

(i) an "investment adviser representative" as defined by rule adopted under the Investment Advisers Act of 1940, 15 U.S.C. section 80b-3a; or

(ii) not a "supervised person" as defined in the Investment Advisers Act of 1940, 15 U.S.C. section 80b-2(a)(25); or

(D) is excluded by order issued under this chapter.

(28) "Investment advisory contract" means any contract or agreement whereby a person agrees to act as an investment adviser or to manage any investment or trading account for a person other than an investment adviser as defined in subsection (26).

(29)(A) "Investment contract" means either:

(i) an investment in a common enterprise with the expectation of profits to be primarily from the efforts of the promoter or some third party; or

(ii) an investment by which an offeree furnishes initial value to an offeror, and a portion of this value is subject to the risks of the enterprise, and the furnishing of the initial value is induced by the offeror's promises or representations which give rise to a reasonable understanding that a material valuable benefit of some kind over and above the initial value will accrue to the offeree as a result of the operation of the enterprise, and the offeree does not receive the right to exercise practical and actual control over the management of the enterprise.

(B) Notwithstanding subsection (29)(A), a business that pre-sells its products or services to consumers for future use or consumption is not offering an investment contract. However, a business that pre-sells its products or services to purchasers who are primarily motivated by an investment purpose, rather than future use or consumption, would be offering an investment contract.

(C) For the purposes of subsection (29)(A), the following shall apply:

(i) The investment may take the form of money actually paid to; securities or other real or personal property actually delivered to; the right to use such securities and other property granted to; or services actually performed for, the common enterprise or some other entity designated by the promoter or common enterprise to receive the investment.

(ii) "Profits" shall include the promise to pay money, deliver securities, or deliver kind goods;

(iii) The third party providing the efforts may or may not be an affiliate or associated with the promoter or the common enterprise. Such efforts are those day-to-day management efforts which affect the success or failure of the enterprise, and do not include physical or mechanical efforts or extraordinary efforts such as the removal of the management of the common enterprise.

(iv) "Benefits" shall mean any bargained-for benefit to the investor or to a person designated by the investor; or any bargained-for legal detriment to the common enterprise, the promoter, or some entity identified by the investor.

(C) The following interests are securities if they meet either of the 2 tests for investment contracts, whether or not they are also covered by any other part of the definition of a security:

(i) General partnership interest whether in a general partnership, a joint venture, a limited partnership, a limited liability partnership, or a limited liability limited partnership.

(ii) An investment in a viatical or life settlement or similar agreement.

(30) "Investment metal" means any object that contains:

(A) Gold, silver, or platinum, or

(B) Any other metal that the secretary of state may specify by an order showing that the other metal is being purchased and sold by the public as an investment.

(31) "Investment gem" means any gem that the secretary of state may specify by an order showing that the gem is being purchased and sold by the public as an investment.

(32) "Investment metal contract" or "investment gem contract":

(A) means:

(i) A sale of an investment metal or investment gem in which the seller or an affiliate of the seller retains physical possession of the investment metal or investment gem;

(ii) A contract of purchase or sale which provides for the future delivery of an investment metal or investment gem, or any option to purchase or option to sell such a contract; or

(iii) A sale of an investment metal or investment gem pursuant to a contract known to the trade as a margin account, margin contract, leverage account, or leverage contract provided, however, that, for the purposes of this subsection (32), the term "leverage contract" includes any contract for the purchase or sale of any investment metal or investment gem, whereby the seller, or an agent, affiliate or representative of the seller, directly or indirectly arranges, or offers to arrange, for the financing of any portion of the total amount of the purchase or sale of the investment metal or investment gem.

(B) But shall not include:

(i) The sale of an investment metal or investment gem where the seller has reasonable grounds to believe that the investment metal or investment gem is being acquired for manufacturing, commercial or industrial purposes;

(ii) The sale, or contract for the future purchase or sale, of jewelry, art objects or other manufactured or crafted goods other than bullion or bulk sales of coins; or

(iii) The sale of an investment metal or investment gem where full payment is made to the seller and physical delivery is made to the purchaser personally, and not to an agent, within 20 days of the date of purchase provided that a purchaser may designate a bank or licensed broker-dealer, within this state only, and not within any other state, to accept physical delivery on his or her behalf if such bank or licensed broker-dealer maintains such investment metal or investment gem in safekeeping and as the specifically identifiable property of the purchaser;

(iv) Any futures contracts traded on a commodities exchange registered under the Federal Commodity Futures Trading Commission Act of 1974.

(33) "Issuer" means a person that issues or proposes to issue a security, subject to the following:

(A) The issuer of a voting trust certificate, collateral trust certificate, certificate of deposit for a security, or share in an investment company without a board of directors or individuals performing similar functions is the person performing the acts and assuming the duties of depositor or manager pursuant to the trust or other agreement or instrument under which the security is issued.

(B) The issuer of an equipment trust certificate or similar security serving the same purpose is the person by which the property is or will be used or to which the property or equipment is or will be leased or conditionally sold or that is otherwise contractually responsible for assuring payment of the certificate.

(C) The issuer of a fractional undivided interest in an oil, gas, or other mineral lease or in payments out of production under a lease, right, or royalty is the owner of an interest in the lease or in payments out of production under a lease, right, or royalty, whether whole or fractional, that creates fractional interests for the purpose of sale.

(34) "Nonissuer transaction" or "nonissuer distribution" means a transaction or distribution not directly or indirectly for the benefit of the issuer.

(35) "Offer to purchase" includes an attempt or offer to obtain, or solicitation of an offer to sell, a security or interest in a security for value. The term does not include a tender offer that is subject to the Securities Exchange Act of 1934, 15 U.S.C. section 78n(d).

(36) "Open end mutual fund" means an open end management company as defined in the Investment Company Act of 1940.

(37) "Order" means an order issued pursuant to this chapter.

(38) "Other investment company" means a closed end management company, face amount certificate company, or unit investment trust as such terms are defined in the Investment Company Act of 1940.

(39) "Person" means an individual; corporation; business trust; estate; trust; partnership; limited liability company; association; joint venture; government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity.

(40) "Petition" means a written request for action by the secretary of state including a staff petition for relief and any petition for rehearing pursuant to RSA 541.

(41) "Place of business" of a broker-dealer, an investment adviser, or a federal covered investment adviser means:

(A) an office at which the broker-dealer, investment adviser, or federal covered investment adviser regularly provides brokerage or investment advice or solicits, meets with, or otherwise communicates with customers or clients; or

(B) any other location that is held out to the general public as a location at which the broker-dealer, investment adviser, or federal covered investment adviser provides brokerage or investment advice or solicits, meets with, or otherwise communicates with customers or clients.

(42) "Predecessor act" means this chapter as in effect prior to January 1, 2016.

(43) "Presiding officer" means a person to whom the secretary of state has delegated the authority to preside over some or all of an administrative hearing.

(44) "Price amendment" means the amendment to a registration statement filed under the Securities Act of 1933 or, if an amendment is not filed, the prospectus or prospectus supplement filed under the Securities Act of 1933 that includes a statement of the offering price, underwriting and selling discounts or commissions, amount of proceeds, conversion rates, call prices, and other matters dependent upon the offering price.

(45) "Principal place of business" of a broker-dealer or an investment adviser means the executive office of the broker-dealer or investment adviser from which the officers, partners, or managers of the broker-dealer or investment adviser direct, control, and coordinate the activities of the broker-dealer or investment adviser.

(46) "Purchasing for investment" means a purchase made for investment and not for the purpose of resale. In determining whether securities have been purchased for investment, the length of the period for which the securities are held shall be one of the factors considered. Securities held for one year after their purchase shall be conclusively deemed to have been purchased for investment.

(47) "Record," except in the phrases "of record," "official record," and "public record," means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(48) "Revocation" means the recall and cancellation of a license, registration or privilege for either a definite or indefinite period of time.

(49) "Sale" includes every contract of sale, contract to sell, or disposition of, a security or interest in a security for value, and "offer to sell" includes every attempt or offer to dispose of, or solicitation of an offer to purchase, a security or interest in a security for value. Both terms include:

(A) a security given or delivered with, or as a bonus on account of, a purchase of securities or any other thing constituting part of the subject of the purchase and having been offered and sold for value;

(B) a gift of assessable stock involving an offer and sale; and

(C) a sale or offer of a warrant or right to purchase or subscribe to another security of the same or another issuer and a sale or offer of a security that gives the holder a present or future right or privilege to convert the security into another security of the same or another issuer, including an offer of the other security.

(50) "Sanction" means any penalty imposed or authorized for imposition by the secretary of state, pursuant to this chapter, including license suspension or revocation, order to cease and desist or monetary penalties.

(51) "Secretary of state" means the New Hampshire secretary of state or his or her designee.

(52) "Securities and Exchange Commission" means the United States Securities and Exchange Commission.

(53)(A) "Security" means a note; stock; treasury stock; security future; bond; debenture; evidence of indebtedness; certificate of interest or participation in a profit-sharing agreement; membership interest in a limited liability company; partnership interest in a limited partnership; partnership interest in a registered limited liability partnership; collateral trust certificate; preorganization certificate or subscription; transferable share; investment contract; investment metal contract or investment gem contract; voting trust certificate; certificate of deposit for a security; fractional undivided interest in oil, gas, or other mineral rights; put, call, straddle, option, or privilege on a security, certificate of deposit, or group or index of securities, including an interest therein or based on the value thereof; put, call, straddle, option, or privilege entered into on a national securities exchange relating to foreign currency; or, in general, an interest or instrument commonly known as a "security"; or a certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing. The term:

(i) includes both a certificated and an uncertificated security;

(ii) does not include an insurance or endowment policy or annuity contract under which an insurance company promises to pay money either in a lump sum or periodically for life or for some other specified time; and

(iii) does not include an interest in a contributory or noncontributory pension or welfare plan subject to the Employee Retirement Income Security Act of 1974.

(B) Notwithstanding subsection (53)(A), a membership interest in a limited liability company or a partnership interest in a registered limited liability partnership is not a security if:

(i) the secretary of state, by order, determines that it is not a security;

(ii) the limited liability company is a professional limited liability company or foreign professional limited liability company under RSA 304-D; or

(iii) the registered limited liability partnership or foreign registered limited liability partnership:

(a) is licensed, registered, certified, or otherwise authorized under the provisions of RSA 309-B, RSA 310-A, RSA 311, RSA 315, RSA 316, RSA 317-A, RSA 318, RSA 326-B, RSA 327, RSA 329, RSA 330-A, or RSA 332-B to render professional services, as defined in RSA 304-D:1, VI, including necessary related services, or

(b) is related to a registered limited liability partnership or foreign registered limited liability partnership licensed, registered, certified, or otherwise authorized under the provisions of RSA 309-B, RSA 310-A, RSA 311, RSA 315, RSA 316, RSA 317-A, RSA 318, RSA 326-B, RSA 327, RSA 329, RSA 330-A, or RSA 332-B to render professional services, as defined in RSA 304-D:1, VI.

(C) For purposes of subsection (53)(B)(iii), a registered limited liability partnership or foreign registered limited liability partnership is related to a registered limited liability partnership or foreign registered limited liability partnership engaged in the rendering of professional services if:

(i) such registered limited liability partnership or foreign registered limited liability partnership provides services related or complementary to the professional services rendered by, or provides services or facilities to, the registered limited liability partnership or foreign registered limited liability partnership engaged in the rendering of professional services; and

(ii) either:

(a) At least a majority of the partners in one partnership are partners in the other partnership;

(b) At least a majority of partners in each partnership also hold interests or are members in another person, and each partnership renders services pursuant to an agreement with such other person, or

(c) The partnerships are affiliates.

(D) In connection with the issuance of a cease and desist order issued by the secretary of state, and any hearings conducted, under RSA 421-B:6-604, the secretary of state may presume that a membership interest in a limited liability company or a partnership interest in a registered limited liability partnership is a security, and the person relying on subsection (53)(B) has the burden of proving that the interest is not a security under subsection (53)(B).

(54) "Self-regulatory organization" means a national securities exchange registered under the Securities Exchange Act of 1934, a national securities association of broker-dealers registered under the Securities Exchange Act of 1934, a clearing agency registered under the Securities Exchange Act of 1934, or the Municipal Securities Rulemaking Board established under the Securities Exchange Act of 1934.

(55) "Sign" means, with present intent to authenticate or adopt a record:

(A) to execute or adopt a tangible symbol; or

(B) to attach or logically associate with the record an electronic symbol, sound, or process.

(56) "Solicitor" means an investment adviser, or investment adviser representative that:

(A) Is licensed under this chapter;

(B) Conducts an investment advisory business solely for the purpose of soliciting, directly or indirectly, any client for, or referring any client to, an investment adviser licensed under this chapter;

(C) Receives a cash fee for such solicitation or referral; and

(D) Operates pursuant to a written agreement with the investment adviser that:

(i) Describes the solicitation activities to be engaged in on behalf of the investment adviser and the compensation to be received therefor;

(ii) Contains an undertaking to perform the duties under the agreement in a manner consistent with the instructions of the investment adviser and the provisions of this chapter; and

(iii) Requires that at the time of any solicitation activities for which compensation is paid or to be paid by the investment adviser, that the client be provided with a current copy of the investment adviser's written disclosure statement that describes the solicitation arrangement.

(57) "Staff" means the employees of the department including classified employees, contract employees, and includes students involved in paid or unpaid programs.

(58) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(59) "Suspension" means the temporary recall or denial of any license, registration or privilege granted for a specified period of time. Such license, registration or privilege shall be reinstated and returned to the person when he or she otherwise qualifies without the necessity of a new application or fee, provided any suspended license, registration, or privilege has not expired in the interim.

(60) "Trust company" means a trust company or family trust company that is organized under the laws of this state or any other jurisdiction and is authorized to engage in trust business in this state.

(61) "UETA" means New Hampshire's Uniform Electronic Transactions Act RSA 294-E and the rules and regulations adopted under that chapter, as in effect on the date of this chapter, or as later amended.

(62) The words "include" and "including" shall be construed as introducing a non-exhaustive list. Those words shall not be construed as restrictive.

421-B:1-103 References to Federal Statutes. "Securities Act of 1933" (15 U.S.C. section 77a et seq.), "Securities Exchange Act of 1934" (15 U.S.C. section 78a et seq.), "Public Utility Holding Company Act of 1935"(15 U.S.C. section 79 et seq.), "Investment Company Act of 1940" (15 U.S.C. section

80a-1 et seq.), "Investment Advisers Act of 1940" (15 U.S.C. section 80b-1 et seq.), "Employee Retirement Income Security Act of 1974" (29 U.S.C. section 1001 et seq.), "National Housing Act" (12 U.S.C. section 1701 et seq.), "Commodity Exchange Act" (7 U.S.C. section 1 et seq.), "Internal Revenue Code" (26 U.S.C. section 1 et seq.), "Securities Investor Protection Act of 1970" (15 U.S.C. section 78aaa et seq.), "Securities Litigation Uniform Standards Act of 1998" (112 Stat. 3227), "Small Business Investment Act of 1958" (15 U.S.C. section 661 et seq.), and "Electronic Signatures in Global and National Commerce Act" (15 U.S.C. section 7001 et seq.) mean those statutes and the rules and regulations adopted under those statutes, as in effect on the date of enactment of this chapter.

421-B:1-104 References to Federal Agencies. A reference in this chapter to an agency or department of the United States is also a reference to a successor agency or department.

421-B:1-105 Electronic Records and Signatures. This chapter is subject to UETA. This chapter authorizes the filing of records and signatures, when specified by provisions of this chapter or by an order issued under this chapter, in a manner consistent with UETA.

ARTICLE 2

Exemptions from Registration of Securities

421-B:2-201 Exempt Securities. The following securities are exempt from the requirements of RSA 421-B:3-301 through RSA 421-B:3-306 and RSA 421-B:5-504:

(1) a security, including a revenue obligation or a separate security as defined in Rule 131 adopted under the Securities Act of 1933, 17 C.F.R. 230.131, issued, insured, or guaranteed by the United States; by a state; by a political subdivision of a state; by a public authority, agency, or instrumentality of one or more states; by a political subdivision of one or more states; by a person controlled or supervised by and acting as an instrumentality of the United States under authority granted by the Congress; or a certificate of deposit for any of the foregoing; provided that this exemption shall not include any industrial development bond or industrial revenue bond;

(2) a security issued, insured, or guaranteed by a foreign government with which the United States maintains diplomatic relations, or any of its political subdivisions, if the security is recognized as a valid obligation by the issuer, insurer, or guarantor;

(3) a security issued by and representing or that will represent an interest in or a direct obligation of, or be guaranteed by:

(A) an international banking institution; or

(B) a bank or depository institution;

(4) a security issued by and representing an interest in, or a debt of, or insured or guaranteed by, an insurance company authorized to do business in this state and not in formation; provided that this exemption shall not include any viatical contract;

(5) a security issued or guaranteed by a railroad, other common carrier, public utility, or public utility holding company that is:

(A) regulated in respect to its rates and charges by the United States or a state;

(B) regulated in respect to the issuance or guarantee of the security by the United States, a state, Canada, or a Canadian province or territory; or

(C) a public utility holding company registered under the Public Utility Holding Company Act of 1935 or a subsidiary of such a registered holding company within the meaning of that act;

(6) a federal covered security specified in section 18(b)(1) of the Securities Act of 1933, 15 U.S.C. section 77r(b)(1), or a security listed or approved for listing on another securities market specified by order of the secretary of state under this chapter; a put or a call option contract; a warrant; a subscription right on or with respect to such securities; or an option or similar derivative security on a security or an index of securities or foreign currencies issued by a clearing agency registered under the Securities Exchange Act of 1934 and listed or designated for trading on a national securities exchange, a facility of a national securities exchange, or a facility of a national securities association registered under the Securities Exchange Act of 1934 or an offer or sale of the underlying security in connection with the offer, sale, or exercise of an option or other security that was exempt when the option or other security was written or issued; or an option or a derivative security designated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, 15 U.S.C. section 78i(b);

(7) a security issued by a person organized and operated exclusively for religious, educational, benevolent, fraternal, charitable, social, athletic, or reformatory purposes, or as a chamber of commerce or trade or professional association, and not for pecuniary profit, no part of the net earnings of which inures to the benefit of a private stockholder or other person, or a security of a company that is excluded

from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940; provided that such issuer shall have filed with the secretary of state a notice, on a form prescribed by the secretary of state, together with a copy of all offering material used in such offering of such security, at least 30 days before the first issuance under such offering. With respect to the offer or sale of a security offered under this exemption, upon the receipt of such notice of such an offering, the secretary of state may require that the availability of this exemption be limited by classifying securities, persons, and transactions, imposing different requirements for different classes, specifying the scope of the exemption and the grounds for denial or suspension, and requiring the issuer to file a notice specifying the material terms of the proposed offer and sale and copies of any proposed sales and advertising literature to be used. The exemption shall become effective if the secretary of state does not disallow the exemption within 30 days of the filing of such notice and other required information.

(8) an equipment trust certificate with respect to equipment leased or conditionally sold to a person, if any security issued by the person would be exempt under this section or would be a federal covered security under section 18(b)(1) of the Securities Act of 1933, 15 U.S.C. section 77r(b)(1);

(9) Any interest in a common trust fund or similar fund maintained by a state bank organized and operating under the laws of New Hampshire, or a national bank wherever located, for the collective investment and reinvestment of funds contributed to such common trust fund or similar fund by the bank in its capacity as trustee, executor, administrator, or guardian; and any interest in a collective investment fund or similar fund maintained by the bank, or in a separate account maintained by an insurance company, for the collective investment and reinvestment of funds contributed to such collective investment fund or similar fund by the bank, or insurance company in its capacity as trustee or agent, which interest is issued in connection with an employee's savings, pension, profit sharing, or similar benefit, or a self-employed person's retirement plan.

421-B:2-202 Exempt Transactions. The following transactions are exempt from the requirements of RSA 421-B:3-301 through RSA 421-B:3-306 and RSA 421-B:5-504:

(1) an isolated nonissuer transaction, whether effected by or through a broker-dealer or not, provided that no person shall make sales to more than 5 purchasers (as determined in accordance with RSA 421-B:2-202-A(1)), in total, of securities of the same issuer, in all jurisdictions combined, during any period of 12 consecutive months;

(2) a nonissuer transaction by or through a broker-dealer registered, or exempt from registration, under this chapter, and a resale transaction by a sponsor of a unit investment trust registered under the Investment Company Act of 1940, in a security of a class that has been outstanding in the hands of the public for at least 90 days, if, at the date of the transaction:

(A) the issuer of the security is engaged in business, the issuer is not in the organizational stage or in bankruptcy or receivership, and the issuer is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that its primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person;

(B) the security is sold at a price reasonably related to its current market price;

(C) the security does not constitute the whole or part of an unsold allotment to, or a subscription or participation by, the broker-dealer as an underwriter of the security or a redistribution;

(D) a nationally recognized securities manual or its electronic equivalent designated by order issued under this chapter or a record filed with the Securities and Exchange Commission that is publicly available contains:

(i) a description of the business and operations of the issuer;

(ii) the names of the issuer's executive officers and the names of the issuer's directors, if any;

(iii) an audited balance sheet of the issuer as of a date within 18 months before the date of the transaction or, in the case of a reorganization or merger when the parties to the reorganization or merger each had an audited balance sheet, a pro forma balance sheet for the combined organization; and

(iv) an audited income statement for each of the issuer's 2 immediately previous fiscal years or for the period of existence of the issuer, whichever is shorter, or, in the case of a reorganization or merger when each party to the reorganization or merger had audited income statements, a pro forma income statement; and

(E) any one of the following requirements is met:

(i) the issuer of the security has a class of equity securities listed on a national securities exchange registered under section 6 of the Securities Exchange Act of 1934 or designated for trading on the Nasdaq Stock Market;

(ii) the issuer of the security is a unit investment trust registered under the Investment Company Act of 1940;

(iii) the issuer of the security, including its predecessors, has been engaged in continuous business for at least 3 years; or

(iv) the issuer of the security has total assets of at least $2,000,000 based on an audited balance sheet as of a date within 18 months before the date of the transaction or, in the case of a reorganization or merger when the parties to the reorganization or merger each had such an audited balance sheet, a pro forma balance sheet for the combined organization;

(3) a nonissuer transaction by or through a broker-dealer registered, or exempt from registration, under this chapter in a security of a foreign issuer that is a margin security as defined in regulations or rules adopted by the Board of Governors of the Federal Reserve System;

(4) a nonissuer transaction by or through a broker-dealer registered, or exempt from registration, under this chapter in an outstanding security if the guarantor of the security files reports with the Securities and Exchange Commission under the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934, 15 U.S.C. section 78m or 78o(d);

(5) a nonissuer transaction by or through a broker-dealer registered, or exempt from registration, under this chapter in a security that:

(A) is rated at the time of the transaction by a nationally recognized statistical rating organization in one of its 4 highest rating categories; or

(B) has a fixed maturity or a fixed interest or dividend, if:

(i) a default has not occurred during the current fiscal year or within the 3 previous fiscal years or during the existence of the issuer and any predecessor if less than 3 fiscal years, in the payment of principal, interest, or dividends on the security; and

(ii) the issuer is engaged in business, is not in the organizational stage or in bankruptcy or receivership, and is not and has not been within the previous 12 months a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that its primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person;

(6) a nonissuer transaction by or through a broker-dealer registered, or exempt from registration, under this chapter effecting an unsolicited order or offer to purchase;

(7) a nonissuer transaction executed by a bona fide pledgee without the purpose of evading this chapter;

(8) a nonissuer transaction involving an offer or sale to a federal covered investment adviser with investments under management in excess of $100,000,000 acting in the exercise of discretionary authority in a signed record for the account of others;

(9) a transaction in a security, whether or not the security or transaction is otherwise exempt, in exchange for one or more bona fide outstanding securities, claims, or property interests, or partly in such exchange and partly for cash, if the terms and conditions of the issuance and exchange or the delivery and exchange and the fairness of the terms and conditions have been approved by the secretary of state after a hearing conducted pursuant to RSA 421-B:6-605;

(10) a transaction between the issuer or other person on whose behalf the offering is made and an underwriter, or a transaction among underwriters;

(11) a nonissuer sale of notes or bonds secured by a mortgage to no more than 5 persons, in total, in all jurisdictions combined;

(12) a judicial sale, exchange, or issuance of securities made pursuant to an order of a court of competent jurisdiction, including without limitation a bankruptcy court, or a transaction by an executor, administrator of an estate, sheriff, marshal, receiver, trustee in bankruptcy, guardian, or conservator;

(13) a sale or offer to sell to:

(A) an institutional investor;

(B) a federal covered investment adviser; or

(C) any other person exempted by order issued by the secretary of state under this chapter;

(14) a sale or an offer to sell securities of an issuer, if the transaction is part of a single offering (as determined in accordance with RSA 421-B:2-202-A(2)) in which:

(A) sales are not made to more than 25 purchasers (as determined in accordance with RSA 421-B:2-202-A(1)), in all jurisdictions combined, during any 12 consecutive months, other than sales designated in subsection (13) and subsection (21);

(B) a general solicitation or general advertising is not made in connection with the offer to sell or sale of the securities;

(C) a commission or other remuneration is not paid or given, directly or indirectly, to a person other than a broker-dealer registered under this chapter or an agent registered under this chapter for soliciting a prospective purchaser in this state; and

(D) the issuer reasonably believes that all the purchasers in this state, other than those designated in subsection (13), are purchasing for investment;

(15) a transaction under an offer to bona fide existing security holders of the issuer, including persons that at the date of the transaction are holders of convertible securities, options, or warrants, if a commission or other remuneration, other than a standby commission, is not paid or given, directly or indirectly, for soliciting a security holder in this state;

(16) an offer to sell, but not a sale, of a security not exempt from registration under the Securities Act of 1933 if:

(A) a registration or offering statement or similar record as required under the Securities Act of 1933 has been filed, but is not effective, or the offer is made in compliance with Rule 165 adopted under the Securities Act of 1933, 17 C.F.R. 230.165; and

(B) a stop order of which the offeror is aware has not been issued against the offeror by the secretary of state or the Securities and Exchange Commission, and an audit, inspection, or proceeding that is public and that may culminate in a stop order is not known by the offeror to be pending;

(17) an offer to sell, but not a sale, of a security exempt from registration under the Securities Act of 1933 if:

(A) a registration statement has been filed under this chapter, but is not effective;

(B) a solicitation of interest is provided in a record to offerees in compliance with an order adopted by the secretary of state under this chapter; and

(C) a stop order of which the offeror is aware has not been issued by the secretary of state under this chapter and an audit, inspection, or proceeding that may culminate in a stop order is not known by the offeror to be pending;

(18) a transaction involving the distribution of the securities of an issuer to the security holders of another person in connection with a merger, consolidation, exchange of securities, sale of assets, or other reorganization to which the issuer, or its parent or subsidiary and the other person, or its parent or subsidiary, are parties;

(19) a rescission offer, sale, or purchase under RSA 421-B:5-510, provided that the terms of such offer, sale or purchase and material disclosures are approved in advance by the secretary of state pursuant to RSA 421-B:5-510(5);

(20) an offer or sale of a security to a person not a resident of this state and not present in this state if the offer or sale does not constitute a violation of the laws of the state or foreign jurisdiction in which the offeree or purchaser is present and is not part of an unlawful plan or scheme to evade this chapter;

(21) an employees' stock purchase, savings, stock option, restricted stock, profit-sharing, pension, or similar employees' benefit plan, including any securities, plan interests, and guarantees issued under a compensatory benefit plan or compensation contract, contained in a record, established by the issuer, its parents, its majority-owned subsidiaries, or the majority-owned subsidiaries of the issuer's parent for the participation of their employees including offers or sales of such securities to:

(A) directors; general partners; trustees, if the issuer is a business trust; officers; consultants; and advisors;

(B) family members who acquire such securities from those persons through gifts or domestic relations orders;

(C) former employees, directors, general partners, trustees, officers, consultants, and advisors if those individuals were employed by or providing services to the issuer when the securities were initially offered to such person; and

(D) insurance agents who are exclusive insurance agents of the issuer, or the issuer's subsidiaries or parents, or who derive more than 50 percent of their annual income from those organizations;

(22) a transaction involving:

(A) a stock dividend or equivalent equity distribution, whether the corporation or other business organization distributing the dividend or equivalent equity distribution is the issuer or not, if nothing of

value is given by stockholders or other equity holders for the dividend or equivalent equity distribution other than the surrender of a right to a cash or property dividend if each stockholder or other equity holder may elect to take the dividend or equivalent equity distribution in cash, property, or stock;

(B) an act incident to a judicially approved reorganization in which a security is issued in exchange for one or

more outstanding securities, claims, or property interests, or partly in such exchange and partly for cash; or

(C) the solicitation of tenders of securities by an offeror in a tender offer in compliance with Rule 162 adopted under the Securities Act of 1933, 17 C.F.R. 230.162;

(23) a nonissuer transaction in a outstanding security by or through a broker dealer registered or exempt from registration under this chapter, if the issuer is a reporting issuer in a foreign jurisdiction designated by subsection (23) or by order issued under this chapter by the secretary of state; has been subject to continuous reporting requirements in the foreign jurisdiction for not less than 180 days before the transaction; and the security is listed on the foreign jurisdiction's securities exchange that has been designated by subsection (23) or by order issued under this chapter by the secretary of state, or is a security of the same issuer that is of senior or substantially equal rank to the listed security or is a warrant or right to purchase or subscribe to any of the foregoing. For purposes of subsection (23), Canada, together with its provinces and territories, is a designated foreign jurisdiction and The Toronto Stock Exchange, Inc., is a designated securities exchange. After an administrative hearing in compliance with RSA 421-B:6-605, the secretary of state, by order issued under this chapter, may revoke the designation of a securities exchange under subsection (23), if the secretary of state finds that revocation is necessary or appropriate in the public interest and for the protection of investors; or

(24) an offer or sale by a cooperative association organized and operated as a nonprofit entity under the laws of any state of its securities only if (A) such securities are either (i) offered and sold in connection with establishing bona fide membership in such association or (ii) issued as a patronage dividend to its bona fide members, (B) in the case of a purchase, the purchase of such securities is necessary or incidental to establishing membership in such association, and (iii) the primary purpose of membership in such association is to obtain or derive one or both of goods and services.

421-B:2-202-A Implementing Provisions.

(1) Counting of purchasers. The following principles shall be used to calculate the number of purchasers to whom sales of the issuer's securities are made pursuant to RSA 421-B:2-202(1) and RSA 421-B:2-202(14):

(A) Exclusions. The following purchasers shall be excluded:

(i) Any relative, spouse, or relative of the spouse of a purchaser who has the same principal residence as such purchaser;

(ii) Any individual retirement account for the benefit of a purchaser;

(iii) Any trust or estate in which a purchaser or any of the persons related to such purchaser specified in subsection (1)(C) collectively have more than 50 percent of the beneficial interest (excluding contingent interests); and

(iv) Any corporation, partnership, limited partnership, limited liability company, limited liability partnership, business trust or other business entity in which a purchaser or any of the persons related to the purchaser specified in subsection (1)(C) collectively are the beneficial owners of more than 50 percent of the equity securities or equity interests.

(B) Inclusions. A purchaser shall be included in the calculation of the number of purchasers if such purchaser purchases a security which the issuer claims qualifies as a federal covered security under section 18(b)(4)(E) of the Securities Act of 1933 but in actuality does not so qualify.

(C) Entity as purchaser. A corporation, partnership, limited partnership, limited liability company, limited liability partnership, business trust, or other business entity shall be counted as one purchaser. However, if such entity is organized for the specific purpose of acquiring the securities offered and is not an investor specified in RSA 421-B:2-202(13), then each beneficial owner of equity interests or equity securities in such entity shall count as a separate purchaser.

(D) Employee benefit plan as purchaser. A non-contributory employee benefit plan, within the meaning of title I of the Employee Retirement Income Security Act of 1974, shall be counted as one purchaser if the trustee makes all investment decisions for the plan.

(E) Sales to certain clients or customers. Sales to clients of an investment adviser, broker-dealer, or trust administered solely by a bank having fiduciary power, or persons with similar relationships, shall be considered as separate sales, regardless of the amount of discretion given to the investment adviser, broker-dealer, bank, or other person to act on behalf of the client, customer or trust.

(F) Joint or common ownership. Sales to persons who acquire the securities as joint tenants, tenants in common, or tenants by the entirety shall be counted as a single purchaser.

(2) Integration of Offerings. Offers and sales of securities that are made more than 6 months before the start of an offering or are made more than 6 months after completion of an offering will not be considered part of that offering, so long as during those 6-month periods there are no offers or sales of securities by or for the issuer that are of the same or a similar class as those offered and sold in such offering, other than offers or sales of securities under an employee benefit plan. The determination of whether separate sales of securities are part of the same offering and are considered integrated depends on the particular facts and circumstances. The following factors should be considered in determining whether offers and sales should be integrated for purposes of the exemption under RSA 421-B:2-202(14):

(A) Whether the sales are part of a single plan of financing;

(B) Whether the sales involve issuance of the same class of securities;

(C) Whether the sales have been made at or about the same time;

(D) Whether the same type of consideration is being received; and

(E) Whether the sales are made for the same general purpose.

(3) In connection with an offer and sale of exempt securities or in an exempt transaction, other than in connection with an offer and sale of federal covered securities, additional disclosures shall be made in offering documents, or an application for registration or a filing for exemption from registration shall be denied, or further conditions for an exemption may be imposed by the secretary of state, if any partner, officer, director, or a person having a similar status or performing a similar function:

(A) has filed a registration statement which is the subject of a currently-effective stop order entered pursuant to any state's securities laws within the previous 5 years;

(B) has been convicted within the previous 5 years of any felony or misdemeanor in connection with the offer, purchase or sale of any security;

(C) has been convicted within the previous 5 years of any felony involving fraud or deceit, including forgery, embezzlement, obtaining money under false pretenses, larceny, or conspiracy to defraud;

(D) is the subject of a material administrative enforcement order or judgment entered by a state's securities administrator within the previous 5 years or has been the subject to any state's administrative enforcement order or judgment in which fraud or deceit, including but not limited to, making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within the previous 5 years;

(E) is subject to a material administrative enforcement order or judgment which prohibits, denies or revokes the use of any exemption from registration in connection with the offer, purchase, or sale of securities; or

(F) is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily, preliminarily, or permanently restraining, or enjoining such person from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security or involving the making of any false filing with the state entered within the previous 5 years.

421-B:2-203 Additional Exemptions and Waivers. An order issued by the secretary of state under this chapter may exempt a security, transaction, or offer; an order by the secretary of state under this chapter may exempt a class of securities, transactions, or offers from any or all of the requirements of RSA 421-B:3-301 through RSA 421-B:3-306 and RSA 421-B:5-504; and an order by the secretary of state under this chapter may waive, in whole or in part, any or all of the conditions for an exemption or offer under RSA 421-B:2-201 and RSA 421-B:2-202.

421-B:2-204 Denial, Suspension, Revocation, Conditions, or Limitation of Exemptions.

(a) Enforcement related powers. Except with respect to securities or a transaction preempted by section 18(b) of the Securities Act of 1933, an order by the secretary of state under this chapter may deny, suspend application of, condition, limit, or revoke an exemption created under RSA 421-B:2-201(3)(C) or RSA 421-B:2-202 or an exemption or waiver created under RSA 421-B:2-203 with respect to a specific security, transaction, or offer. An order under this section may be issued only pursuant to the procedures in RSA 421-B:3-306(d) or RSA 421-B:6-604 and only prospectively.

(b) Knowledge of order required. A person does not violate RSA 421-B:3-301, RSA 421-B:3-303 through RSA 421-B:3-306, RSA 421-B:5-504, or RSA 421-B:5-510 by an offer to sell, offer to purchase, sale, or purchase effected after the entry of an order issued under this section if the person did not know, and in the exercise of reasonable care could not have known, of the order.

For purposes of subsection (b), a person will be conclusively presumed to have knowledge of an order which is mailed to the last address specified by such person to the secretary of state, if any, or which is published in a newspaper of statewide circulation.

ARTICLE 3

Registration of Securities and

Notice Filing of Federal Covered Securities

421-B:3-301 Securities Registration Requirement. It is unlawful for a person to offer or sell a security in this state unless:

(1) the security is a federal covered security;

(2) the security, transaction, or offer is exempted from registration under RSA 421-B:2-201 through RSA 421-B:2-203; or

(3) the security is registered under this chapter.

421-B:3-302 Notice Filing.

(a) Required filing of records. Any person offering a federal covered security, that is not a security described in section 18(b)(4)(D) of the Securities Act of 1933, 15 U.S.C. section 77r(b)(4)(D), and is not exempt under RSA 421-B:2-201 through RSA 421-B:2-203, shall file all of the following records:

(1) before the initial offer of a federal covered security in this state, all records that are part of a federal registration statement filed with the Securities and Exchange Commission under the Securities Act of 1933, a consent to service of process complying with RSA 421-B:6-611 signed by the issuer, and the payment of a fee for each class of shares, regardless of whether offered through separate or combined prospectuses;

(2) after the initial offer of the federal covered security in this state, all records that are part of an amendment to a federal registration statement filed with the Securities and Exchange Commission under the Securities Act of 1933; and

(3) to the extent necessary or appropriate to compute fees, a report of the value of the federal covered securities sold or offered to persons present in this state, if the sales data are not included in records filed with the Securities and Exchange Commission and payment of a fee for each class of shares, regardless of whether offered through separate or combined prospectuses.

(b) Notice filing effectiveness and renewal. A notice filing under subsection (a) is effective for one year commencing on the later of the notice filing or the effectiveness of the offering filed with the Securities and Exchange Commission. On or before expiration, the issuer may renew a notice filing by filing a copy of those records filed by the issuer with the Securities and Exchange Commission and by paying a renewal fee. A previously filed consent to service of process complying with RSA 421-B:6-611 may be incorporated by reference in a renewal. A renewed notice filing becomes effective upon the expiration of the filing being renewed.

(c) Notice filings for federal covered securities described in section 18(b)(4)(D) of the Securities Act of 1933. Any person selling a security that is a federal covered security described in section 18(b)(4)(D) the Securities Act of 1933, 15 U.S.C. section 77r(b)(4)(D), shall file a notice filing to include a copy of Form D, including the Appendix, as promulgated by the Securities and Exchange Commission, a consent to service of process complying with RSA 421-B:6-611 signed by the issuer not later than 15 days after the first sale of the federal covered security in this state, and the payment of a fee including any late filing fee, under RSA 421-B:6-614.

(d) Stop orders. Except with respect to a federal security described in section 181(b)(1) of the Securities Act of 1933, 15 U.S.C. section 77r(b)(1), if the secretary of state finds that there is a failure to comply with a notice or fee requirement of this section, including any late filing fee requirements, the secretary of state may issue a stop order suspending the offer and sale of a federal covered security in this state. If the deficiency is corrected, the stop order is void as of the time of its issuance and no penalty may be imposed by the secretary of state. Nothing in this chapter shall prevent the secretary of state from investigating and issuing a stop order suspending the offer and sale of a federal covered security for violation of RSA 421-B:5-501.

421-B:3-303 Securities Registration by Coordination.

(a) Registration permitted. A security for which a registration statement has been filed under the Securities Act of 1933 in connection with the same offering may be registered by coordination under this section.

(b) Required records. A registration statement and accompanying records under this section must contain or be accompanied by the following records in addition to the information specified in RSA 421-B:3-305 and a consent to service of process complying with RSA 421-B:6-611:

(1) a copy of the latest form of prospectus filed under the Securities Act of 1933;

(2) a copy of the articles of incorporation and bylaws or their substantial equivalents currently in effect; a copy of any agreement with or among underwriters; a copy of any indenture or other instrument governing the issuance of the security to be registered; and a specimen, copy, or description of the security that is required by order issued under this chapter;

(3) copies of any other information or any other records filed by the issuer under the Securities Act of 1933 requested by the secretary of state;

(4) an undertaking to forward each amendment to the federal prospectus, other than an amendment that delays the effective date of the registration statement, promptly after it is filed with the Securities and Exchange Commission;

(5) a Form U-4 for each agent of the issuer; and

(6) copies of disclosures, which shall be included in the offering documents, consistent with policies, guidelines, and standards, including suitability standards, promulgated by the North American Securities Administrators Association, in order to provide full and fair disclosure for the benefit of investors.

(c) Conditions for effectiveness of registration statement. A registration statement under this section becomes effective simultaneously with or subsequent to the federal registration statement when all the following conditions are satisfied:

(1) a stop order under subsection (d) or RSA 421-B:3-306 or issued by the Securities and Exchange Commission is not in effect and a proceeding is not pending against the issuer under RSA 421-B:4-412; and

(2) the registration statement has been on file for at least 20 days or a shorter period provided by order issued under this chapter.

(d) Notice of federal registration statement effectiveness. The registrant shall promptly notify the secretary of state in a record of the date when the federal registration statement becomes effective and the content of any price amendment and shall promptly file a record containing the price amendment. If the notice is not timely received, the secretary of state may issue a stop order, without prior notice or hearing, retroactively denying effectiveness to the registration statement or suspending its effectiveness until compliance with this section. The secretary of state shall promptly notify the registrant of an order by telegram, telephone, or electronic means and promptly confirm this notice by a record. If the registrant subsequently complies with the notice requirements of this section, the stop order is void as of the date of its issuance.

(e) Effectiveness of registration statement. If the federal registration statement becomes effective before each of the conditions in this section is satisfied or is waived by the secretary of state, the registration statement is automatically effective under this chapter when all the conditions are satisfied or waived. If the registrant notifies the secretary of state of the date when the federal registration statement is expected to become effective, the secretary of state shall promptly notify the registrant by telegram, telephone, or electronic means and promptly confirm this notice by a record, indicating whether all the conditions are satisfied or waived and whether the secretary of state intends the institution of a proceeding under RSA 421-B:3-306. The notice by the secretary of state does not preclude the institution of such a proceeding.

421-B:3-304 Securities Registration and Qualification.

(a) Registration permitted. A security may be registered by qualification under this section.

(b) Required records. A registration statement under this section must contain the information or records specified in RSA 421-B:3-305, a consent to service of process complying with RSA 421-B:6-611, and the following information or records, which may be satisfied if included in the materials provided pursuant to subsection (b)(13):

(1) with respect to the issuer and any significant subsidiary, its name, address, and form of organization; the state or foreign jurisdiction and date of its organization; the general character and location of its business; a description of its physical properties and equipment; and a statement of the general competitive conditions in the industry or business in which it is or will be engaged;

(2) with respect to each director and officer of the issuer, and other person having a similar status or performing similar functions, the person's name, address, and principal occupation for the previous 5 years; the amount of securities of the issuer held by the person as of the 30th day before

the filing of the registration statement; the amount of the securities covered by the registration statement to which the person has indicated an intention to subscribe; and a description of any material interest of the person in any material transaction with the issuer or a significant subsidiary effected within the previous 3 years or proposed to be effected;

(3) with respect to persons covered by subsection (2), the aggregate sum of the remuneration paid to those persons during the previous 12 months and estimated to be paid during the next 12 months, directly or indirectly, by the issuer, and all predecessors, parents, subsidiaries, and affiliates of the issuer;

(4) with respect to a person owning of record or owning beneficially, if known, 10 percent or more of the outstanding shares of any class of equity security of the issuer, the information specified in subsection (b)(2) other than the person's occupation;

(5) with respect to a promoter, if the issuer was organized within the previous 3 years, the information or records specified in subsection (b)(2), any amount paid to the promoter within that period or intended to be paid to the promoter, and the consideration for the payment;

(6) with respect to a person on whose behalf any part of the offering is to be made in a nonissuer distribution, the person's name and address; the amount of securities of the issuer held by the person as of the date of the filing of the registration statement; a description of any material interest of the person in any material transaction with the issuer or any significant subsidiary effected within the previous 3 years or proposed to be effected; and a statement of the reasons for making the offering;

(7) the capitalization and long-term debt, on both a current and pro forma basis, of the issuer and any significant subsidiary, including a description of each security outstanding or being registered or otherwise offered, and a statement of the amount and kind of consideration, whether in the form of cash, physical assets, services, patents, goodwill, or anything else of value, for which the issuer or any subsidiary has issued its securities within the previous 2 years or is obligated to issue its securities;

(8) the kind and amount of securities to be offered; the proposed offering price or the method by which it is to be computed; any variation at which a proportion of the offering is to be made to a person or class of persons other than the underwriters, with a specification of the person or class; the basis on which the offering is to be made if otherwise than for cash; the estimated aggregate underwriting and selling discounts or commissions and finders' fees, including separately cash, securities, contracts, or anything else of value to accrue to the underwriters or finders in connection with the offering or, if the selling discounts or commissions are variable, the basis of determining them and their maximum and minimum amounts; the estimated amounts of other selling expenses, including legal, engineering, and accounting charges; the name and address of each underwriter and each recipient of a finder's fee; a copy of any underwriting or selling group agreement under which the distribution is to be made or the proposed form of any such agreement whose terms have not yet been determined; and a description of the plan of distribution of any securities that are to be offered otherwise than through an underwriter;

(9) the estimated monetary proceeds to be received by the issuer from the offering; the purposes for which the proceeds are to be used by the issuer; the estimated amount to be used for each purpose; the order or priority in which the proceeds will be used for the purposes stated; the amounts of any funds to be raised from other sources to achieve the purposes stated; the sources of the funds; and, if a part of the proceeds is to be used to acquire property, including goodwill, otherwise than in the ordinary course of business, the names and addresses of the vendors, the purchase price, the names of any persons that have received commissions in connection with the acquisition, and the amounts of the commissions and other expenses in connection with the acquisition, including the cost of borrowing money to finance the acquisition;

(10) a description of any stock options or other security options outstanding, or to be created in connection with the offering, and the amount of those options held or to be held by each person required to be named in subsection (b)(2), (b)(4), (b)(5), (b)(6), or (b)(8) and by any person that holds or will hold 10 percent or more in the aggregate of those options;

(11) the dates of, parties to, and general effect concisely stated of each managerial or other material contract made or to be made otherwise than in the ordinary course of business to be performed in whole or in part at or after the filing of the registration statement or that was made within the previous 2 years, and a copy of the contract;

(12) a description of any pending litigation, action, or proceeding to which the issuer is a party and that materially affects its business or assets, and any litigation, action, or proceeding known to be contemplated by governmental authorities;

(13) a copy of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature intended as of the effective date to be used in connection with the offering and any solicitation of interest used in compliance with RSA 421-B:2-202(17)(B);

(14) a specimen or copy of the security being registered, unless the security is uncertificated; a copy of the issuer's articles of incorporation and bylaws or their substantial equivalents, in effect; and a copy of any indenture or other instrument covering the security to be registered;

(15) a signed or conformed copy of an opinion of counsel concerning the legality of the security being registered, with an English translation if it is in a language other than English, which states whether the security when sold will be validly issued, fully paid, and nonassessable and, if a debt security, a binding obligation of the issuer;

(16) a signed or conformed copy of a consent of any accountant, engineer, appraiser, or other person whose profession gives authority for a statement made by the person, if the person is named as having prepared or certified a report or valuation, other than an official record, that is public, which is used in connection with the registration statement;

(17) a balance sheet of the issuer as of a date within 4 months before the filing of the registration statement; a statement of income and changes in financial position for each of the 3 fiscal years preceding the date of the balance sheet and for any period between the close of the immediately previous fiscal year and the date of the balance sheet, or for the period of the issuer's and any predecessor's existence if less than 3 years; and, if any part of the proceeds of the offering is to be applied to the purchase of a business, the financial statements that would be required if that business were the registrant; and

(18) any additional information or records required by order issued under this chapter.

(c) Conditions for effectiveness of registration statement. A registration statement under this section becomes effective 30 days, or any shorter period provided by order issued under this chapter, after the date the registration statement or the last amendment other than a price amendment is filed, if:

(1) a stop order is not in effect and a proceeding is not pending under RSA 421-B:3-306;

(2) the secretary of state has not issued an order under RSA 421-B:3-306 delaying effectiveness; and

(3) the applicant or registrant has not requested that effectiveness be delayed.

(d) Delay of effectiveness of registration statement. The secretary of state may delay effectiveness once for not more than 90 days if the secretary of state determines the registration statement is not complete in all material respects and promptly notifies the applicant or registrant of that determination. The secretary of state may also delay effectiveness for a further period of not more than 30 days if the secretary of state determines that the delay is necessary or appropriate.

(e) Prospectus distribution may be required. An order issued under this chapter may require as a condition of registration under this section that a prospectus containing a specified part of the information or record specified in subsection (b) be sent or given to each person to which an offer is made, before or concurrently, with the earliest of:

(1) the first offer made in a record to the person otherwise than by means of a public advertisement, by or for the account of the issuer or another person on whose behalf the offering is being made or by an underwriter or broker-dealer that is offering part of an unsold allotment or subscription taken by the person as a participant in the distribution;

(2) the confirmation of a sale made by or for the account of the person;

(3) payment pursuant to such a sale; or

(4) delivery of the security pursuant to such a sale.

421-B:3-305 Securities Registration Filings.

(a) Who may file. A registration statement may be filed by the issuer, a person on whose behalf the offering is to be made, or a broker-dealer registered under this chapter.

(b) Filing fee. A person filing a registration statement shall pay a filing fee. If a registration statement is withdrawn before the effective date or a preeffective stop order is issued under RSA 421-B:3-306, the secretary of state shall retain such portion of the fee that the secretary of state deems equitable under the circumstances.

(c) Status of offering. A registration statement filed under RSA 421-B:3-303 or RSA 421-B:3-304 must specify:

(1) the amount of securities to be offered in this state;

(2) the states in which a registration statement or similar record in connection with the offering has been or is to be filed; and

(3) any adverse order, judgment, or decree issued in connection with the offering by a state securities regulator, the Securities and Exchange Commission, or a court.

(d) Incorporation by reference. A record filed under this chapter or the predecessor act within 5 years preceding the filing of a registration statement may be incorporated by reference in the registration statement to the extent that the record is currently accurate.

(e) Nonissuer distribution. In the case of a nonissuer distribution, information or a record may not be required under subsection (i) or RSA 421-B:3-304, unless it is known to the person filing the registration statement or to the person on whose behalf the distribution is to be made or unless it can be furnished by those persons without unreasonable effort or expense.

(f) Escrow and impoundment. An order issued under this chapter may require as a condition of registration that a security issued within the previous 5 years or to be issued to a promoter for a consideration substantially less than the public offering price or to a person for a consideration other than cash be deposited in escrow; and that the proceeds from the sale of the registered security in this state be impounded until the issuer receives a specified amount from the sale of the security either in this state or elsewhere. The conditions of any escrow or impoundment required under subsection (f) may be established by order issued under this chapter, but the secretary of state may not reject a depository institution or trust company solely because of its location in another state

(g) Form of subscription. An order issued under this chapter may require as a condition of registration that a security registered under this chapter be sold only on a specified form of subscription or sale contract and that a signed or conformed copy of each contract be filed under this chapter or preserved for a period specified by the rule or order, which may not be longer than 5 years.

(h) Effective period. Except while a stop order is in effect under RSA 421-B:3-306, a registration statement is effective for one year after its effective date, or for any longer period designated in an order under this chapter during which the security is being offered or distributed in a nonexempted transaction by or for the account of the issuer or other person on whose behalf the offering is being made or by an underwriter or broker-dealer that is still offering part of an unsold allotment or subscription taken as a participant in the distribution. For the purposes of a nonissuer transaction, all outstanding securities of the same class identified in the registration statement as a security registered under this chapter are considered to be registered while the registration statement is effective. If any securities of the same class are outstanding, a registration statement may not be withdrawn until one year after its effective date. A registration statement may be withdrawn only with the approval of the secretary of state.

(i) Periodic reports. While a registration statement is effective, an order issued under this chapter may require the person that filed the registration statement to file reports, not more often than quarterly, to keep the information or other record in the registration statement reasonably current and to disclose the progress of the offering.

(j) Posteffective amendments. A registration statement may be amended after its effective date. The posteffective amendment becomes effective when the secretary of state so orders. If a posteffective amendment is made to increase the number of securities specified to be offered or sold, the person filing the amendment shall pay a registration fee. A posteffective amendment relates back to the date of the offering of the additional securities being registered if, within one year after the date of the sale, the amendment is filed and the additional registration fee is paid.

421-B:3-306 Denial, Suspension, and Revocation of Securities Registration.

(a) Stop orders. The secretary of state may issue a stop order denying effectiveness to, or suspending or revoking the effectiveness of, a registration statement if the secretary of state finds that the order is in the public interest and that:

(1) the registration statement as of its effective date or before the effective date in the case of an order denying effectiveness, an amendment under RSA 421-B:3-305(j) as of its effective date, or a report under RSA 421-B:3-305(i) is incomplete in a material respect or contains a statement that, in the light of the circumstances under which it was made, was false or misleading with respect to a material fact;

(2) this chapter or an order issued under this chapter or a condition imposed under this chapter has been willfully violated, in connection with the offering, by the person filing the registration

statement; by the issuer, a partner, officer, or director of the issuer or a person having a similar status or performing a similar function; a promoter of the issuer; or a person directly or indirectly controlling or controlled by the issuer, but only if the person filing the registration statement is directly or indirectly controlled by or acting for the issuer; or by an underwriter;

(3) the security registered or sought to be registered is the subject of a permanent or temporary injunction of a court of competent jurisdiction or an administrative stop order or similar order issued under any federal, foreign, or state law other than this chapter applicable to the offering, but the secretary of state may not issue an order under subsection (a)(3) on the basis of an order or injunction issued under the securities act of another state unless the order or injunction was based on conduct that would constitute, as of the date of the order, a ground for a stop order under this section;

(4) the issuer's enterprise or method of business includes or would include activities that are unlawful where performed;

(5) with respect to a security sought to be registered under RSA 421-B:3-303, there has been a failure to comply with the undertaking required by RSA 421-B:3-303(b)(4);

(6) the applicant or registrant has not paid the filing fee, but the secretary of state shall void the order if the deficiency is corrected;

(7) the offering:

(A) will work or tend to work a fraud upon purchasers or would so operate; or

(B) has been or would be made with unreasonable amounts of underwriters' and sellers' discounts, commissions, or other compensation, or promoters' profits or participations, or unreasonable amounts or kinds of options; or

(8) the issuer or a partner, officer, or director of the issuer or a person having a similar status or performing a similar function has been convicted of a felony or misdemeanor in connection with the offer, purchase, or sale of a security or of a felony involving fraud or deceit, including forgery, embezzlement, obtaining money under false pretenses, larceny, or conspiracy to defraud.

(b) Enforcement of subsection (a)(7). To the extent practicable, the secretary of state by order issued under this chapter shall publish standards that provide notice of conduct that violates subsection (a)(7).

(c) Institution of stop order. The secretary of state may not institute a stop order proceeding against an effective registration statement on the basis of conduct or a transaction known to the secretary of state when the registration statement became effective unless the proceeding is instituted within 60 days after the registration statement became effective.

(d) Summary process. The secretary of state may summarily revoke, deny, postpone, or suspend the effectiveness of a registration statement pending final determination of an administrative proceeding. Upon the issuance of the order, the secretary of state shall promptly notify each person specified in subsection (e) that the order has been issued, the reasons for the revocation, denial, postponement, or suspension, and that within 15 days after the receipt of a request in a record from the person the matter will be scheduled for a hearing. If a hearing is not requested and none is ordered by the secretary of state, within 30 days after the date of service of the order, then the order becomes final. If a hearing is requested or ordered, the secretary of state, after notice of and opportunity for hearing for each person subject to the order, may modify or vacate the order or extend the order until final determination.

(e) Procedural requirements for stop order. A stop order may not be issued under this section without:

(1) appropriate notice to the applicant or registrant, the issuer, and the person on whose behalf the securities are to be or have been offered;

(2) an opportunity for hearing; and

(3) findings of fact and conclusions of law in a record in accordance with RSA 421-B:6-604(c).

(f) Modification or vacation of stop order. The secretary of state may modify or vacate a stop order issued under this section if the secretary of state finds that the conditions that caused its issuance have changed or that it is necessary or appropriate in the public interest or for the protection of investors.

421-B:3-307 Waiver and Modification. The secretary of state may waive or modify, in whole or in part, any or all of the requirements of RSA 421-B:3-302, RSA 421-B:3-303, and RSA 421-B:3-304(b) or the requirement of any information or record in a registration statement or in a periodic report filed pursuant to RSA 421-B:3-305(i).

ARTICLE 4

Broker-Dealers, Agents, Investment Advisers,
Investment Adviser Representatives,
and Federal Covered Investment Advisers

421-B:4-401 Broker-Dealer Registration Requirements and Exemptions.

(a) Registration requirement. It is unlawful for a person to transact business in this state as a broker-dealer unless the person is registered under this chapter as a broker-dealer or is exempt from registration as a broker-dealer under subsection (b) or (d).

(b) Exemptions from registration. The following persons are exempt from the registration requirement of subsection (a):

(1) a broker-dealer without a place of business in this state if its only transactions effected in this state are with:

(A) the issuer of the securities involved in the transactions;

(B) a person registered as a broker-dealer under this chapter or not required to be registered as a broker-dealer under this chapter;

(C) an institutional investor; or

(D) a bona fide preexisting customer whose principal place of residence is not in this state and the person is registered as a broker-dealer under the Securities Exchange Act of 1934 or not required to be registered under the Securities Exchange Act of 1934 and is registered under the securities act of the state in which the customer maintains a principal place of residence;

(2) a person that deals solely in United States government securities and is supervised as a dealer in government securities by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation.

(c) Limits on employment or association. It is unlawful for a broker-dealer, or for an issuer engaged in offering, offering to purchase, purchasing, or selling securities in this state, directly or indirectly, to employ or associate with an individual to engage in an activity related to securities transactions in this state if the registration of the individual is suspended or revoked or the individual is barred from employment or association with a broker-dealer, an issuer, an investment adviser, or a federal covered investment adviser by an order of the secretary of state under this chapter, the Securities and Exchange Commission, or a self-regulatory organization. A broker-dealer or issuer does not violate subsection (c) if the broker-dealer or issuer did not know and in the exercise of reasonable care could not have known, of the suspension, revocation, or bar. Upon request from a broker-dealer or issuer and for good cause, an order under this chapter may modify or waive, in whole or in part, the application of the prohibitions of subsection (c) to the broker-dealer.

(d) Limited registration. The secretary of state may register a broker-dealer in a limited capacity determined by the secretary of state if that broker-dealer's activities are limited by FINRA.

(e) Canadian broker-dealers.

(1) A broker-dealer that is resident in Canada and has no office or other physical presence in this state may, provided the broker-dealer is licensed in accordance with this subsection (e), effect transactions in securities with or for, or induce or attempt to induce the purchase or sale of any security by:

(A) A person from Canada who is temporarily resident in this state, with whom the Canadian broker-dealer had a bona fide broker-dealer-client relationship before the person entered the United States; or

(B) A person from Canada who is resident in this state, whose transactions are in a self-directed tax advantaged retirement plan in Canada of which the person is the holder or contributor.

(2) An agent representing a Canadian broker-dealer licensed under this section may, provided the agent is licensed in accordance with this section, effect transactions in securities in this state as permitted for the broker-dealer in subsection (e)(1).

(3) A Canadian broker-dealer may become licensed under subsection (e), provided that the broker-dealer:

(A) Files an application in the form required by the jurisdiction in which it has its head office;

(B) Files a consent to service of process;

(C) Is registered as a broker or dealer in good standing in the jurisdiction from which it is effecting transactions into this state and files evidence thereof; and

(D) Is a member of a self-regulatory organization or stock exchange in Canada.

(4) An agent representing a Canadian broker-dealer licensed under this subsection (e) in effecting transactions in securities in this state may become licensed under this section, provided that the agent:

(A) Files an application in the form required by the jurisdiction in which the broker-dealer has its head office;

(B) Files a consent to service of process; and

(C) Is registered in good standing in the jurisdiction from which he or she is effecting transactions into this state and files evidence thereof.

(5) If no denial order is in effect and no proceeding is pending under this chapter, the license becomes effective on the thirtieth day after an application is filed unless earlier made effective.

(6) A Canadian broker-dealer licensed under subsection (e) shall:

(A) Maintain its provincial or territorial registration and its membership in a self-regulatory organization or stock exchange in good standing;

(B) Provide the secretary of state upon request with its books and records relating to its business in this state as a broker-dealer;

(C) Inform the secretary of state forthwith of any criminal action taken against the broker-dealer or its agent or of any finding or sanction imposed on the broker-dealer as a result of any self-regulatory or regulatory action involving fraud, theft, deceit, misrepresentation, or similar conduct; and

(D) Disclose to its clients in the state that the broker-dealer and its agents are not subject to the full regulatory requirements in this chapter.

(7) An agent of a Canadian broker-dealer licensed under subsection (e) shall:

(A) Maintain his or her provincial or territorial registration in good standing;

(B) Inform the secretary of state forthwith of any criminal action, taken against him or her, or of any finding or sanction imposed on the agent as a result of any self-regulatory or regulatory action involving fraud, theft, deceit, misrepresentation, or similar conduct.

(8) Renewal applications for Canadian broker-dealers and agents under subsection (e) shall be filed before December 1 each year and may be made by filing the most recent renewal application, if any, filed in the jurisdiction in which the broker-dealer has its head office, or if no such renewal application is required, the most recent application filed pursuant to subsection (e)(3)(A) or subsection (e)(4)(A), as the case may be.

(9) Every applicant for a license or renewal of a license under subsection (a) shall pay the fee for broker-dealers and agents as required under RSA 421-B:6-614.

(10) A Canadian broker-dealer or agent licensed under subsection (e) shall only effect transactions in this state:

(A) As permitted in subsection (e)(1) or (e)(2);

(B) With or through (i) the issuers of the securities involved in the transactions, (ii) other broker-dealers, and (iii) banks, insurance companies, investment companies as defined in the Investment Company Act of 1940, pension or profit-sharing trusts or other financial institutions or institutional buyers, whether acting for themselves or as trustees; and

(C) As otherwise permitted by this chapter.

(11) A Canadian broker-dealer or agent licensed under subsection (e) and acting in accordance with the limitations set out in subsection (e)(10) is exempt from all of the requirements of this chapter, except the anti-fraud provisions and the requirements set out in subsection (e). Such Canadian broker-dealer or agent may only have its license under this section denied, suspended or revoked for a breach of the anti-fraud provisions of this chapter or the requirements in subsection (e).

(f) Branch offices.

(1) Prior to opening or closing a branch office in this state, a broker-dealer shall notify the secretary of state of the location of the branch office, telephone number, name of the individual supervising the office, the date of the opening or closing, and any other pertinent information required by the secretary of state.

(2)(A) It is prohibited for any branch office or agent of a broker-dealer to conduct a securities business in this state under any name other than that of the broker-dealer with which the branch office is associated or agent is registered.

(B) If more than one business enterprise is conducted from a branch office location, disclosures shall clearly set forth the name of each business enterprise, what business activity is conducted by each organization, and each registered agent's relationship to each organization; provided, however, that this requirement shall not apply to television, radio, or billboard advertising that pertains exclusively to a non-securities product.

(3)(A) Each broker-dealer branch office within this state shall be supervised by a manager who is a licensed agent in New Hampshire and who shall have qualified as a principal by passing a FINRA principal's examination applicable to the registrant's business conducted at that location.

(B) Each broker-dealer and investment adviser shall establish and maintain supervisory procedures that are reasonably designed to achieve compliance with all applicable securities laws and statutes. The responsibility for such supervisory procedure shall be determined by various factors, including:

(i) The firm's size, organizational structure, and scope of business activities, and the number and location of offices.

(ii) The nature and complexity of procedures and services offered.

(iii) The volume of business conducted.

(iv) The number of agents and investment advisors assigned to a location.

(v) Whether a location has an on-site principal.

(vi) Whether the office is a non-branch location.

421-B:4-402 Agent Registration Requirements and Exemptions.

(a) Registration requirement. It is unlawful for an individual to transact business in this state as an agent unless the individual is registered under this chapter as an agent or is exempt from registration as an agent under subsection (b).

(b) Exemptions from registration. The following individuals are exempt from the registration requirement of subsection (a):

(1) an individual who represents a broker-dealer that is exempt under RSA 421-B:4-401(b) or (c);

(2) a bona fide officer, director, partner, manager, member or employee of the issuer, with respect to an offer or sale of the issuer's own securities or those of the issuer's parent or any of the issuer's subsidiaries and who is not compensated in connection with the individual's participation by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities; provided that any person who is not a bona fide officer, director, partner, manager, member or employee of the issuer shall not be exempt in connection with any public offering of securities by such issuer, whether or not such person is compensated by the payment of a commission or other transaction-related compensation;

(3) an individual who represents an issuer and who effects transactions in the issuer's securities exempted by RSA 421-B:2-202, other than RSA 421-B:2-202(14), and who is not compensated by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities;

(4) an individual who represents an issuer that effects transactions solely in federal covered securities of the issuer, but an individual who effects transactions in a federal covered security described in section 18(b)(3) or 18(b)(4)(D) of the Securities Act of 1933, 15 U.S.C. section 77r(b)(3) or 77r(b)(4)(D), is not exempt if the individual is compensated in connection with the agent's participation by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities;

(5) an individual who represents a broker-dealer registered in this state under RSA 421-B:4-401(a) or exempt from registration under RSA 421-B:4-401(b) in the offer and sale of securities for an account of a nonaffiliated federal covered investment adviser with investments under management in excess of $100,000,000 acting for the account of others pursuant to discretionary authority in a signed record;

(6) an individual who represents an issuer with the purchase by the issuer of the issuer's own securities;

(7) an individual who represents an issuer and who restricts participation to performing clerical or ministerial acts; or

(8) any other individual exempted by order issued under this chapter.

(c) Registration effective only while employed or associated. The registration of an agent is effective only while the agent is employed by or associated with a broker-dealer registered under this chapter or an issuer that is offering, selling, or purchasing its securities in this state.

(d) Limit on employment or association. It is unlawful for a broker-dealer, or an issuer engaged in offering, selling, or purchasing securities in this state, to employ or associate with an agent who transacts business in this state on behalf of broker-dealers or issuers unless the agent is registered under subsection (a) or exempt from registration under subsection (b).

(e) Limit on affiliations. An individual may not act as an agent for more than one broker-dealer or one issuer at a time, unless the broker-dealer or the issuer for which the agent acts are affiliated by direct common control or are authorized by order under this chapter.

421-B:4-403 Investment Adviser Registration Requirements and Exemptions.

(a) Registration requirement. It is unlawful for a person to transact business in this state as an investment adviser unless the person is registered under this chapter as an investment adviser or is exempt from registration as an investment adviser under subsection (b).

(b) Exemptions from registration. The following persons are exempt from the registration requirement of subsection (a):

(1) a person without a place of business in this state that is registered under the securities act of the state in which the person has its principal place of business if its only clients in this state are:

(A) federal covered investment advisers, investment advisers registered under this chapter, or broker-dealers registered under this chapter;

(B) institutional investors; or

(C) any other client exempted by order issued under this chapter;

(2) a person without a place of business in this state if the person has had, during the preceding 12 months, not more than 5 clients that are resident in this state in addition to those specified under subsection (b)(1); or

(3) any other person exempted by order issued under this chapter.

(c) Limits on employment or association. It is unlawful for an investment adviser, directly or indirectly, to employ or associate with an individual to engage in an activity related to investment advice in this state if the registration of the individual is suspended or revoked or the individual is barred from employment or association with an investment adviser, federal covered investment adviser, or broker-dealer by an order under this chapter, the Securities and Exchange Commission, or a self-regulatory organization, unless the investment adviser did not know, and in the exercise of reasonable care could not have known, of the suspension, revocation, or bar. Upon request from the investment adviser and for good cause, the secretary of state, by order, may waive, in whole or in part, the application of the prohibitions of subsection (c) to the investment adviser.

(d) Investment adviser representative registration required. It is unlawful for an investment adviser to employ or associate with an individual required to be registered under this chapter as an investment adviser representative who transacts business in this state on behalf of the investment adviser unless the individual is registered under RSA 421-B:4-404(a) or is exempt from registration under RSA 421-B:4-404(b).

(e) Branch offices. Prior to opening or closing a branch office in this state, an investment adviser shall notify the secretary of state of the location of the branch office, telephone number, name of the individual supervising the office, the date of the opening or closing, and any other pertinent information required by the secretary of state.

(f) Name of branch office.

(1) It is prohibited for any branch office or investment adviser representative to conduct an investment advisory business in this state under any name other than that of the investment adviser with which the branch office is associated or investment adviser representative is registered.

(2) If more than one business enterprise is conducted from a branch office location, disclosures shall clearly set forth the name of each business enterprise, what business activity is conducted by each organization, and each registered agent's relationship to each organization; provided, however, that this requirement shall not apply to television, radio, or billboard advertising that pertains exclusively to a non-securities product.

421-B:4-404 Investment Adviser Representative Registration Requirement and Exemptions.

(a) Registration requirement. It is unlawful for an individual to transact business in this state as an investment adviser representative unless the individual is registered under this chapter as an investment adviser representative or is exempt from registration as an investment adviser under subsection (b).

(b) Exemptions from registration. The following individuals are exempt from the registration requirement of subsection (a):

(1) an individual who is employed by or associated with an investment adviser that is exempt from registration under RSA 421-B:4-403(b) or a federal covered investment adviser that is excluded from the notice filing requirements of RSA 421-B:4-405; and

(2) any other individual exempted by order issued under this chapter.

(c) Registration effective only while employed or associated. The registration of an investment adviser representative is not effective while the investment adviser representative is not employed by or associated with an investment adviser registered under this chapter or a federal covered investment adviser that has made or is required to make a notice filing under RSA 421-B:4-405.

(d) Limit on affiliations. An individual may transact business as an investment adviser representative for more than one investment adviser or federal covered investment adviser unless an order issued under this chapter prohibits or limits an individual from acting as an investment adviser representative for more than one investment adviser or federal covered investment adviser.

(e) Limits on employment or association. It is unlawful for an individual acting as an investment adviser representative, directly or indirectly, to conduct business in this state on behalf of an investment adviser or a federal covered investment adviser if the registration of the individual as an investment adviser representative is suspended or revoked or the individual is barred from employment or association with an investment adviser or a federal covered investment adviser by an order under this chapter, the Securities and Exchange Commission, or a self-regulatory organization. Upon request from a federal covered investment adviser and for good cause, the secretary of state, by order issued, may waive, in whole or in part, the application of the requirements of subsection (e) to the federal covered investment adviser.

(f) Client solicitors. A person who solicits referrals of investment advisory clients to an investment adviser may apply for a license as a solicitor by filing with the secretary of state an application, including a request for waiver of examination requirements, a copy of the solicitation agreement with such investment adviser and a copy of the disclosure document of the investment adviser disclosing the arrangements between such investment adviser and such solicitor and an undertaking that, prior to entering into any investment advisory contract with a client, the investment adviser will obtain from such client a signed and dated acknowledgement that the investment advisory contract is being entered into pursuant to a solicitation arrangement with the solicitor as described in the disclosure document.

421-B:4-405 Federal Covered Investment Adviser Notice Filing Requirement.

(a) Notice filing requirement. Except with respect to a federal covered investment adviser described in subsection (b), it is unlawful for a federal covered investment adviser to transact business in this state as a federal covered investment adviser unless the federal covered investment adviser complies with subsection (c).

(b) Notice filing requirement not required. The following federal covered investment advisers are not required to comply with subsection (c):

(1) a federal covered investment adviser without a place of business in this state if its only clients in this state are:

(A) federal covered investment advisers, investment advisers registered under this chapter, and broker-dealers registered under this chapter;

(B) institutional investors;

(C) bona fide preexisting clients whose principal places of residence are not in this state; or

(D) other clients specified by order issued under this chapter;

(2) any other person excluded by order issued under this chapter.

(c) Notice filing procedure. A person acting as a federal covered investment adviser, not excluded under subsection (b), shall file a notice, a consent to service of process complying with RSA 421-B:6-611, and such records as have been filed with the Securities and Exchange Commission under the Investment Advisers chapter of 1940 required by order issued under this chapter and pay the fees specified in RSA 421-B:4-410(c). Initial fees shall be paid before business is transacted in this state, and annual fees shall be paid on or before December 31 of the current year for the ensuing year. Federal covered advisers shall submit copies to the secretary of state of all documents filed with the Securities and Exchange Commission pursuant to the federal securities laws within 10 business days of their submission to the Securities and Exchange Commission. Documents and fees that are accepted by IARD may be submitted through IARD. Other documents filed or deemed filed with the Securities and Exchange Commission shall be submitted directly to the secretary of state.

(d) Effectiveness of filing. The notice under subsection (c) becomes effective upon its filing.

421-B:4-406 Registration by Broker-Dealer, Agent, Investment Adviser, and Investment Adviser Representative.

(a) Application for initial registration. A person shall register as a broker-dealer, agent, investment adviser, or investment adviser representative by filing an application on a form prescribed by the secretary of state and a consent to service of process complying with RSA 421-B:6-611, paying the fee specified in RSA 421-B:4-410 and paying any reasonable fees charged by the designee of the secretary of state for processing the filing. The application must contain:

(1) whatever information the secretary of state requires concerning such matters as, but not limited to, the applicant's form and place of organization; the applicant's proposed method of doing business; the qualifications and business history of the applicant; in the case of a broker-dealer or investment adviser, the qualifications and business history of any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment adviser; any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a felony; and the applicant's financial condition and history; and

(2) upon request by the secretary of state, any other financial or other information or record that the secretary of state determines is appropriate.

(b) Amendment. If the information or record contained in an application filed under subsection (a) is or becomes inaccurate or incomplete in a material respect, the registrant shall promptly file a correcting amendment.

(c) Effectiveness of registration.

(1) If an order is not in effect and a proceeding is not pending under RSA 421-B:4-412, registration becomes effective at noon on the 30th day after a completed application is filed. An order issued under this chapter may set an earlier effective date or may defer the effective date until noon on the 30th day after the filing of any amendment completing the application. Registration may be suspended by an order of the secretary of state, subject to article 6.

(2) The secretary of state may issue a limited registration as determined by the secretary of state to a broker-dealer whose registration is similarly restricted by FINRA or any successor self-regulatory organization.

(3) As an alternative means of registration under subsection (h) or in conjunction with this section, the secretary of state may register agents, broker-dealers, or investment advisers by means of or through the facilities of a national organization which facilitates registration on a nationwide basis.

(d) Registration renewal. A registration is effective until midnight on December 31 of the year for which the application for registration is filed. Unless an order is in effect under RSA 421-B:4-412, a registration may be automatically renewed each year by filing such records within 60 days after the close of its fiscal year (subject to any extension by order promulgated by the secretary of state) as are required by order issued under this chapter, by paying the fee specified in RSA 421-B:4-410, and by paying costs charged by the secretary of state for processing the filings. In addition, the secretary of state may require at any reasonable time and in any reasonable manner from any person subject to this chapter or any person controlling any such person any statements, reports, financial statements, answers to questionnaires and other information in whatever reasonable form he or she designates, including information from any electronic data processing or storage system.

(e) Certain requirements for broker-dealers.

(1) No person shall be registered as a broker-dealer unless one person occupying a supervisory position has successfully passed a principal examination appropriate for the business conducted by the broker-dealer and has actively engaged in the securities business as a licensed principal in a similar supervisory capacity for a minimum of 3 of the preceding 5 years.

(2) No person shall be issued a broker-dealer license if any control person of such person was an officer, supervisor, or owner of 10 percent or more of the securities of any firm liquidated under the Securities Investor Protection Act of 1970.

(f) Certain requirements for investment advisers.

(1) Registration of investment advisers and investment adviser representatives shall be made through filings through the IARD.

(2) In addition to the filing required in subsection (f)(1), an applicant for registration as an investment adviser shall provide:

(A) specimens of investment advisory contracts.

(B) the qualifications and business history of any employee, which may be submitted on a Form U-4 on the CRD.

(3) Solely for purposes of a filing made through the IARD, a document is considered filed with the secretary of state when all fees are received and the filing is accepted by the IARD on behalf of the state.

(4)(A) Any documents or fees required to be filed with the secretary of state that are not permitted to be filed with or cannot be accepted by the IARD shall be filed directly with the secretary of state. The application shall not be complete until all documents and fees required by this chapter have been submitted through the IARD, where possible, or submitted to and received directly by the secretary of state.

(B) The following documents shall be required to be filed directly with the secretary of state:

(i) A financial statement which shall be audited, or, in the instance where no audited financial statement is in existence, certified by the appropriate person as presenting fairly in all material respects the financial condition of the firm.

(ii) A copy of the applicant's articles of incorporation, if a corporation, or other business formation documents, if the applicant is any other form of business entity.

(5)(A) An investment adviser shall file with the IARD, in accordance with the instructions to Form ADV, any amendments to the investment adviser's Form ADV. An amendment shall be considered to be filed promptly if the amendment is filed within 30 days of the event that requires the filing of the amendment.

(B) An investment adviser representative is under a continuing obligation to update information required by Form U-4 as changes occur. An investment adviser representative and the investment adviser shall file promptly with the IARD any amendments to the representative's Form U-4.

(C) Within 90 days of the end of the investment adviser's fiscal year, an investment adviser shall file an updated Form ADV with the IARD.

(g) Training standards. The secretary of state may by order prescribe standards of qualification with respect to training, experience, and knowledge of the securities business and provide for examinations to be taken by any class of or all applicants for broker-dealers, agents, investment advisers, and investment adviser representatives.

(h) Additional conditions or waivers. An order issued under this chapter may impose such other conditions, consistent with the National Securities Markets Improvement Act of 1996, on any registration under this section. An order issued under this chapter may waive, in whole or in part, specific requirements in connection with registration as are in the public interest and for the protection of investors.

(i) Privilege from defamation. In the absence of malice, no communication required by the secretary of state under this section shall subject the person making it to an action for defamation.

(j) False filings. Any director, officer, partner, manager, agent, or employee of any broker-dealer, investment adviser, or agent who makes or files in any statement or other document with the secretary of state, having actual knowledge that the same includes any material statement which is false, shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

(k) Incorporation of federal, SRO and exchange rules. Persons registered under this article to conduct securities business shall comply with the applicable rules of the Securities and Exchange Commission, FINRA, any national exchange on which they have securities registered and other applicable self-regulatory organization having jurisdiction over the person so registered.

(l) Satisfaction through Adviser Act filings. The secretary of state may require an investment adviser to furnish or disseminate to investors and advisory clients information specified by order of the secretary of state in the public interest and for the protection of investors. If so determined by the secretary of state, information furnished to clients or prospective clients that would be in compliance with the Investment Advisers Act of 1940 may be used in whole or partial satisfaction of such requirement.

421-B:4-407 Succession and Change in Registration of Broker-Dealer or Investment Adviser.

(a) Succession. A broker-dealer or investment adviser may succeed to the current registration of another broker-dealer or investment adviser or a notice filing of a federal covered investment adviser, and a federal covered investment adviser may succeed to the current registration of an investment adviser or notice filing of another federal covered investment adviser, by filing as a successor an application for registration pursuant to RSA 421-B:4-401 or RSA 421-B:4-403 or a notice pursuant to RSA 421-B:4-405 for the unexpired portion of the current registration or notice filing.

(b) Organizational change. A broker-dealer or investment adviser that changes its form of organization or state of incorporation or organization may continue its registration by filing an amendment to its registration if the change does not involve a material change in its financial condition or management. The amendment becomes effective when filed or on a date designated by the registrant

in its filing. The new organization is a successor to the original registrant for the purposes of this chapter. If there is a material change in financial condition or management, the broker-dealer or investment adviser shall file a new application for registration. A predecessor registered under this chapter shall stop conducting its securities business other than winding down transactions and shall file for withdrawal of broker-dealer or investment adviser registration within 45 days after filing its amendment to effect succession.

(c) Name change. A broker-dealer or investment adviser that changes its name may continue its registration by filing an amendment to its registration and paying the fees set forth in RSA 421-B:6-614. The amendment becomes effective when filed or on a date designated by the registrant.

(d) Change of control. A change of control of a broker-dealer or investment adviser may be made in accordance with an order issued under this chapter.

421-B:4-408 Termination of Employment or Association of Agent and Investment Adviser Representative and Transfer of Employment or Association.

(a) Notice of termination. If an agent registered under this chapter terminates employment by or association with a broker-dealer or issuer, or if an investment adviser representative registered under this chapter terminates employment by or association with an investment adviser or federal covered investment adviser, or if either registrant terminates activities that require registration as an agent or investment adviser representative, the broker-dealer, issuer, investment adviser, or federal covered investment adviser shall promptly file a notice of termination. If the registrant learns that the broker-dealer, issuer, investment adviser, or federal covered investment adviser has not filed the notice, the registrant may do so.

(b) Transfer of employment or association. If an agent registered under this chapter terminates employment by or association with a broker-dealer registered under this chapter and begins employment by or association with another broker-dealer registered under this chapter; or if an investment adviser representative registered under this chapter terminates employment by or association with an investment adviser registered under this chapter or a federal covered investment adviser that has filed a notice under RSA 421-B:4-405 and begins employment by or association with another investment adviser registered under this chapter or a federal covered investment adviser that has filed a notice under RSA 421-B:4-405; then upon the filing by or on behalf of the registrant, within 30 days after the termination, of an application for registration that complies with the requirement of RSA 421-B:4-406(a) and payment of the filing fee required under RSA 421-B:4-410, the registration of the agent or investment adviser representative is:

(1) immediately effective as of the date of the completed filing, if the agent's CRD record or successor record or the investment adviser representative's IARD record or successor record does not contain a new or amended disciplinary disclosure; or

(2) temporarily effective as of the date of the completed filing, if the agent's CRD record or successor record or the investment adviser representative's IARD record or successor record contains a new or amended disciplinary disclosure since the agent's most recent previous registration or licensure application in the state.

(c) Withdrawal of temporary registration. The secretary of state may withdraw a temporary registration if there are or were grounds for discipline as specified in RSA 421-B:4-412 and the secretary of state does so within 30 days after the filing of the application. If the secretary of state does not withdraw the temporary registration within the 30-day period, registration becomes automatically effective on the 31st day after filing.

(d) Power to prevent registration. The secretary of state may prevent the effectiveness of a transfer of an agent or investment adviser representative under subsection (b)(1) or (2) based on the public interest and the protection of investors.

(e) Termination of registration or application for registration. If the secretary of state determines that a registrant or applicant for registration is no longer in existence or has ceased to act as a broker-dealer, agent, investment adviser, or investment adviser representative, or is the subject of an adjudication of incapacity or is subject to the control of a committee, conservator, or guardian, or cannot reasonably be located, a rule adopted or order issued under this chapter may require the registration be canceled or terminated or the application denied. The secretary of state may reinstate a canceled or terminated registration, with or without hearing, and may make the registration retroactive.

421-B:4-409 Withdrawal of Registration of Broker-Dealer, Agent, Investment Adviser, and Investment Adviser Representative.

(a) The secretary of state may determine by order the requirements and procedures for withdrawal of registration by a broker-dealer, agent, investment adviser, or investment adviser representative. Withdrawal of registration by a broker-dealer, agent, investment adviser, or investment adviser representative becomes effective 60 days after the filing of the application to withdraw or within any shorter period as provided by order issued under this chapter unless a revocation or suspension proceeding is pending when the application is filed. If a proceeding is pending, withdrawal becomes effective when and upon such conditions as required by order issued under this chapter. The secretary of state may institute a revocation or suspension proceeding under RSA 421-B:4-412 within one year after the withdrawal became effective automatically and issue a revocation or suspension order as of the last date on which registration was effective if a proceeding is not pending.

(b) The application for withdrawal of licensure as an investment adviser under the Investment Advisers Act of 1940 shall be completed by following the instructions to Form ADV-W (Notice of Withdrawal from Registration as Investment Adviser) (17 C.F.R. section 279.2) and filed upon Form ADV-W with the IARD.

(c) The application for withdrawal of licensure as an investment adviser representative under the Investment Advisers Act of 1940 shall be completed by following the instructions to Form U-5 (Uniform Termination Notice for Securities Industry Registration) and filed upon Form U-5 with the IARD.

421-B:4-410 Filing Fees.

(a) Broker-dealers. A person shall pay a fee of $300 when initially filing an application for registration as a broker-dealer and a fee of $250 when filing a renewal of registration as a broker-dealer. If the filing results in a denial or withdrawal, the secretary of state shall retain $50 of the fee.

(b) Agents. The fee for an individual is $130 when filing an application for registration as an agent, a fee of $100 when filing a renewal of registration as an agent, and a fee of $25 when filing for a change of registration as an agent. If the filing results in a denial or withdrawal, the secretary of state shall retain $30 of the fee.

(c) Investment advisers. A person shall pay a fee of $250 when filing an application for registration as an investment adviser and a fee of $200 when filing a renewal of registration as an investment adviser. If the filing results in a denial or withdrawal, the secretary of state shall retain $50 of the fee.

(d) Investment adviser representatives. The fee for an individual is $125 when filing an application for registration as an investment adviser representative, a fee of $100 ($50 per agent; $50 per license) when filing a renewal of registration as an investment adviser representative, and a fee of $100 when filing a change of registration as an investment adviser representative. If the filing results in a denial or withdrawal, the secretary of state shall retain $25 of the fee.

(e) Federal covered investment advisers. A federal covered investment adviser required to file a notice under RSA 421-B:4-405 shall pay an initial fee of $250 and an annual notice fee of $200.

(f) Payment. A person required to pay a filing or notice fee under this section may transmit the fee through or to a designee as a rule or order provides under this chapter.

(g) Dual agent/investment adviser representative. An investment adviser representative who is registered as an agent under RSA 421-B:4-402 and who represents a person that is both registered as a broker-dealer under RSA 421-B:4-401 and registered as an investment adviser under RSA 421-B:4-403 or required as a federal covered investment adviser to make a notice filing under RSA 421-B:4-405 is not required to pay an initial or annual registration fee for registration as an investment adviser representative.

421-B:4-411 Postregistration Requirements.

(a) Financial requirements. Subject to the Securities Exchange Act of 1934, 15 U.S.C. section 78o(h, or the Investment Advisers Act of 1940, 15 U.S.C. section 80b-18a, an order issued under this chapter may establish minimum financial requirements for broker-dealers registered or required to be registered under this chapter and investment advisers registered or required to be registered under this chapter, including without limitation the following:

(1) Each broker-dealer registered or required to be registered under this chapter shall comply with the net capital requirements set forth in Rule 15c3-1 under the Securities and Exchange Act of 1934, 17 C.F.R. 240.15c3-1 and the custody requirements set forth in Rule 15c3-3 under the Securities and Exchange Act of 1934, 17 C.F.R. 240.15c3-3, as may be amended, and shall report to the secretary of state those items requiring reporting under Rules 17a-5, 17a-10 and 17a-11, under the Securities and Exchange Act of 1934, 17 C.F.R. 240. 17a-5, 17 C.F.R. 240.17a-10, and 17 C.F.R. 240.17a-11 as may be amended.

(2) Each investment adviser registered or required to be registered under this chapter which has custody of client funds or securities shall maintain at all times a minimum net worth of $35,000 and every investment adviser registered or required to be registered under this chapter which has discretionary authority over client funds or securities, but does not have custody of client funds or securities, shall maintain at all times a minimum net worth of $10,000. The secretary of state shall specify by order the requirements for determining and reporting such net worth to the secretary of state. Any such investment adviser which has its principal place of business in another state shall maintain such minimum net worth as required by the state in which it maintains its principal place of business, provided that the investment adviser is registered or licensed in such state and is in compliance with such state's minimum net worth requirements.

(3) Each investment adviser registered or required to be registered under this chapter which has custody of client funds or securities shall comply with Rule 206(4)-2 under the Investment Advisers Act of 1940, 17 C.F.R. 275.206(4)-2.

(b) Financial reports.

(1) Every broker-dealer or agent doing business in this state unless otherwise directed shall, within 60 days after the close of its fiscal year, make and transmit to the secretary of state a filing under oath of its chief managing officer showing or providing the financial statement, changes in management, changes in ownership, and any significant changes in the method of doing business for the preceding fiscal year, except as provided by section 15(h) of the Securities Exchange Act of 1934 in the case of a broker-dealer, and section 222 of the Investment Advisers Act of 1940 in the case of an investment adviser. The filing shall include statements or periodic reports filed with any regulatory, state, or federal authority or exchange if so directed by order or rule of the secretary of state. Every broker-dealer shall include audited financial statements certified by an independent certified public accountant consisting of a balance sheet, income statement, statement of cash flows, a reconciliation of surplus and appropriate notes prepared in accordance with generally accepted accounting principles.

(2) The secretary of state may extend the time for filing such statement for cause shown for a period of not more than 60 days. A broker dealer failing to file its annual statement as required by subsection (b)(1) shall forfeit to the state $25 for each day of delinquency; provided, however, that for good cause shown, the secretary of state may abate all or a portion of the delinquency penalty. The secretary of state may refuse to continue, or may suspend or revoke, the license of any broker dealer failing to file its annual statement when due. When the sixtieth day falls on a weekend, or on a New Hampshire state or federal legal holiday, the due date shall be automatically extended to the next business day following such weekend or holiday.

(c) Recordkeeping. Subject to the Securities Exchange Act of 1934, 15 U.S.C. section 78o(h) or the Investment Advisers Act of 1940, 15 U.S.C. section 80b-18a:

(1) a broker-dealer registered or required to be registered under this chapter and an investment adviser registered or required to be registered under this chapter shall make and maintain the accounts, correspondence, memoranda, papers, books, and other records required by order issued under this chapter except as provided by section 15 of the Securities Exchange chapter of 1934 in the case of broker-dealers and section 222 of the Investment Advisers Act of 1940 in the case of investment advisers;

(2) broker-dealer records required to be maintained under subsection (c)(1) may be maintained in any form of data storage acceptable under the Securities Exchange Act of 1934, 15 U.S.C. section 78q(a), if they are readily accessible to the secretary of state; and

(3) investment adviser records required to be maintained under subsection (1) may be maintained in any form of data storage required by order issued under this chapter.

(4) Every investment adviser registered or required to be registered under this chapter shall make and keep true, accurate and current the following books, ledgers, and records:

(A) A journal or journals, including cash receipts and disbursements records, and any other records of original entry forming the basis of entries in any ledger.

(B) General and auxiliary ledgers or other comparable records, reflecting asset, liability, reserve, capital, income, and expense accounts.

(C) A memorandum of each order given by the investment adviser for the purchase or sale of any security or any instruction received by the investment adviser from the client concerning the purchase, sale, receipt, or delivery of a particular security, and of any modification or cancellation of any such order or instruction. Such memoranda shall show the terms and conditions of the order,

instruction, modification, or cancellation; shall identify the person connected with the investment adviser who recommended the transaction to the client and the person who placed such order; and shall show the account for which entered, the date of entry, and the bank or broker-dealer by or through whom executed where appropriate. Orders entered pursuant to the exercise of discretionary power shall be so designated.

(D) All checkbooks, bank statements, canceled checks, and cash reconciliations of the investment adviser.

(E) All bills or statements (or copies thereof), paid or unpaid, relating to the business of the investment adviser as such.

(F) All trial balances, financial statements, and internal audit working papers relating to the business of such investment adviser.

(G) Originals of all written communications received and copies of all written communications sent by such investment adviser relating to (A) any recommendation made, or proposed to be made and any advice given or proposed to be given, (B) any receipt, disbursement or delivery of funds or securities, or (C) the placing or execution of any order to purchase or sell any security; provided, however, that (i) the investment adviser shall not be required to keep any unsolicited market letters and other similar communications of general public distribution not prepared by or for the investment adviser, and (ii) if the investment adviser sends any notice, circular or other advertisement offering any report, analysis, publication, or other investment advisory service to more than 10 persons, the investment adviser shall not be required to keep a record of the names and addresses of the persons to whom it was sent; except that if such notice, circular or advertisement is distributed to persons named on any list, the investment adviser shall retain with the copy of such notice, circular or advertisement, a memorandum describing the list and the source thereof.

(H) A list or other record of all accounts in which the investment adviser is vested with any discretionary power with respect to the funds, securities, or transactions of any client.

(I) All powers of attorney and other evidences of the granting of any discretionary authority by any client to the investment adviser, or copies thereof.

(J) All written agreements (or copies thereof) entered into by the investment adviser with any client or otherwise relating to the business of such investment adviser as such.

(K) A copy of each notice, circular, advertisement, newspaper article, investment letter, bulletin, or other communication that the investment adviser circulates or distributes, directly or indirectly, to 10 or more persons (other than persons connected with such investment adviser) and, if such notice, circular, advertisement, newspaper article, investment letter, bulletin, or other communication recommends the purchase or sale of a specific security and does not state the reasons for such recommendation, a memorandum of the investment adviser indicating the reasons therefor.

(L)(i) A record of every transaction in a security in which the investment adviser or any advisory representative of such investment adviser has, or by reason of such transaction, acquires any direct or indirect beneficial ownership, except (i) transactions effected in any account over which neither the investment adviser nor any investment adviser representative has any direct or indirect influence or control; and (ii) transactions in securities which are direct obligations of the United States. Such record shall state the title and amount of the security involved; the date and nature of the transaction (i.e., purchase, sale, or other acquisition or disposition); the price at which it was effected; and the name of the broker-dealer or bank with or through whom the transaction was effected. Such record may also contain a statement declaring that the reporting or recording of any such transaction shall not be construed as an admission that the investment adviser or investment adviser representative has any direct or indirect beneficial ownership in the security. A transaction shall be recorded not later than 10 days after the end of the calendar quarter in which the transaction was effected.

(ii) An investment adviser shall not be deemed to have violated subsection (c)(4) because of failure to record securities transactions of any investment adviser representative if the investment adviser establishes that adequate procedures were instituted and reasonable diligence used to obtain promptly reports of all transactions required to be recorded.

(M)(i) Notwithstanding the provisions of subsection (c)(4)(L) where the investment adviser is primarily engaged in a business or businesses other than advising advisory clients, a record shall be maintained of every transaction in a security in which the investment adviser or any investment adviser representative of such investment adviser has, or by reason of such transaction acquires, any direct or indirect beneficial ownership, except (i) transactions effected in any account over which

neither the investment adviser nor any investment adviser representative of the investment adviser has any direct or indirect influence or control; and (ii) transactions in securities which are direct obligations of the United States. Such record shall state the title and amount of the security involved; the date and nature of the transaction (i.e., purchase, sale or other acquisition or disposition); the price at which it was effected, and the name of the broker-dealer or bank with or through whom the transaction was effected. Such record may also contain a statement declaring that the reporting or recording of any such transaction shall not be construed as an admission that the investment adviser or investment adviser representative has any direct or indirect beneficial ownership in the security. A transaction shall be recorded not later than 10 calendar days after the end of the calendar quarter in which the transaction was effected.

(ii) An investment adviser is "primarily engaged in a business or businesses other than advising advisory clients" when, for each of its most recent 3 fiscal years or for the period of time since organization, whichever is less, the investment adviser derived, on an unconsolidated basis, more than 50 percent of (a) its total sales and revenues, and (b) its income or loss before income taxes and extraordinary items, from such other business or businesses.

(iii) An investment adviser shall not be deemed to have violated subsection (c)(4)(M) because of failure to record securities transactions of any investment adviser representative if the investment adviser establishes that adequate procedures were instituted and reasonable diligence used to obtain promptly reports of all transactions required to be recorded.

(N)(i)(a) A copy of each written statement and each amendment or revision thereof, given or sent to any client or prospective client of such investment adviser;

(b) Any summary of material changes that is required by Part 2 of Form ADV but is not contained in the written statement; and

(c) A record of the dates that each written statement, each amendment or revision thereto, and each summary of material changes was given or offered to any client or to any prospective client who subsequently becomes a client.

(ii) A memorandum describing any legal or disciplinary event listed in Item 8 of Part 2A or Item 3 of Part 2B of Form ADV and presumed to be material, if the event involved the investment adviser or any of its supervised persons and is not disclosed in the written statements described in subsection (c)(13)(A). The memorandum shall explain the investment adviser's determination that the presumption of materiality is overcome, and shall discuss the factors described in those items.

(O) All accounts, books, internal working papers, and any other records or documents that are necessary to form the basis for or demonstrate the calculation of the performance or rate of return of any or all managed accounts or securities recommendations in any notice, circular, advertisement, newspaper article, investment letter, bulletin, or other communication that the investment adviser circulates or distributes, directly or indirectly, to 10 or more persons (other than persons connected with, affiliated with or employed by such investment adviser); provided, however, that, with respect to the performance of managed accounts, the retention of all account statements, if they reflect all debts, credits, and other transactions in a client's account for the period of the statement, and all worksheets necessary to demonstrate the calculation of the performance or rate of return of all managed accounts shall be deemed to satisfy the requirements of this subsection.

(P) Copies, with original signatures of the investment adviser's appropriate signatory and the investment adviser representative, of each initial Form U-4 and each amendment to Disclosure Reporting Pages (DRPs U-4) must be retained by the investment adviser (filing on behalf of the investment adviser representative), and shall be made available for inspection upon request by the secretary of state.

(Q) A separate file on all written complaints of customers and action taken by the investment adviser, if any, or a separate record of such complaints and a clear reference to the files containing the correspondence connected with such complaints as maintained in such office. For purposes of subsection (c)(4)(Q), a "complaint" means any written statement of a customer or any person acting on behalf of a customer alleging a grievance involving the activities of those persons under the control of the investment adviser in connection with the solicitation or execution of any transaction or the disposition of securities or funds of that customer.

(R) A litigation file open to inspection by the secretary of state documenting any criminal or civil actions filed in any state or federal court against the investment adviser's branch office or against any of its personnel with respect to a securities transaction and the disposition of any such litigation.

(5) If an investment adviser subject to RSA 421-B:4-411(c)(3) has custody or possession of securities or funds of any client, the records required to be made and kept under subsection (b), shall also include:

(A) A journal or other record showing all purchases, sales, receipts, and deliveries of securities (including certificate numbers) for such accounts, and all other debits and credits to such accounts.

(B) A separate ledger account for each such client showing all purchases, sales, receipts, and deliveries of securities, the date and price of each such purchase and sale, and all debits and credits.

(C) Copies of confirmations of all transactions effected by or for the account of any such client.

(D) A record for each security in which any such client has a position, which record shall show the name of each such client having any interest in each security, the amount or interest of each such client, and the location of each such security.

(6) With respect to the portfolio being supervised or managed and to the extent that the information is reasonably available to or obtainable by the investment adviser, every investment adviser subject to subsection (c) who renders any investment supervisory or management service to any client shall make and keep true, accurate, and current:

(A) Records showing separately for each such client the securities purchased and sold, and the date, amount, and price of each such purchase and sale.

(B) For each security in which any such client has a current position, information from which the investment adviser can promptly furnish the name of each such client, and the current amount or interest of such client.

(7) Any books or records required by this subsection (c) may be maintained by the investment adviser in such manner that the identity of any client to whom the investment adviser renders investment advisory services is indicated by numerical or alphabetical code or some similar designation.

(8)(A) All books and records required to be made under subsections (a), (b), (c), (d), (e)(1), (h), and (i), (except for the books and records required to be made under subsections (c)(11) and (c)(15), shall be maintained and preserved in (i) an easily accessible place for a period of not less than 5 years from the end of the fiscal year during which the last entry was made on those books and records and (ii) during the first 2 years, an appropriate office of the investment adviser.

(B) Partnership articles and any amendments thereto, articles of incorporation, charters, minute books, and stock certificate books of the investment adviser and of any predecessor shall be maintained in the principal office of the investment adviser and preserved until at least 3 years after termination of the enterprise.

(C) Books and records required to be made under subsections (c)(11) and (c)(15) shall be maintained and preserved in an easily accessible place for a period of not less than 5 years, the first 2 years in an appropriate office of the investment adviser, from the end of the fiscal year during which the investment adviser last published or otherwise disseminated, directly or indirectly, any notice, circular, advertisement, newspaper article, investment letter, bulletin, or other communication.

(9) Before ceasing to conduct or discontinuing business as an investment adviser, an investment adviser subject to subsection (c), shall arrange for and be responsible for the preservation of the books and records required to be maintained and preserved under subsection (c) for the remainder of the period specified in this subsection, and shall notify the secretary of state in writing of the exact address where such books and records will be maintained during such period.

(10)(A) The records required to be maintained and preserved pursuant to subsection (c) shall be immediately produced or reproduced by photograph, on film, or, as provided in subsection (i), on magnetic disk, tape or other computer storage medium, and shall be maintained and preserved for the required time in that form. If records are produced or reproduced by the photographic film or computer storage medium, the investment adviser shall:

(i) Arrange the records and index the films or computer storage medium so as to permit the immediate location of any particular record.

(ii) Be ready at all times to provide, and promptly provide, any facsimile enlargement of film or computer printout or copy of the computer storage medium which the secretary of state by its examiners or other representatives may request.

(iii) Store separately from the original one other copy of the film or computer storage medium for the time required.

(iv) With respect to records stored on computer storage medium, maintain procedures for maintenance and preservation of, and access to, records so as to reasonably safeguard records from loss, alteration, or destruction.

(v) With respect to records stored on film, at all times have available for the secretary of state's examination its records pursuant to provisions of this chapter, and facilities for immediate, easily readable projection of the film and for producing easily readable facsimile enlargements.

(B) Pursuant to subsection (i) an investment adviser may maintain and preserve, on computer tape or disk or other computer storage medium, records which, in the ordinary course of the adviser's business, are created by the adviser on electronic media or are received by the adviser solely on electronic media or by electronic data transmission.

(11) For purposes of subsection (c), "investment supervisory services" means the giving of continuous advice as to the investment of funds on the basis of the individual needs of each client.

(12) Every investment adviser that has its principal place of business in a state other than this state shall be exempt from the requirements of this section, provided the investment adviser is licensed in such state and is in compliance with such state's recordkeeping requirements.

(13)(A)(i) Unless otherwise provided in this section, an investment adviser registered or required to be registered under this chapter shall, in accordance with the provisions of this section, furnish each advisory client and prospective advisory client with a written disclosure statement which may be a copy of Part 2 of its Form ADV or written documents containing at least the information then so required by Part 2 of Form ADV, and such other information as the secretary of state may require. Each investment adviser shall furnish each advisory client and prospective advisory client with a firm brochure and one or more supplements as required by this section. The brochure and supplements shall contain all information required by Part 2 of Form ADV (17 C.F.R. 279.1), and such other information as the secretary of state may require.

(ii) An investment adviser shall deliver: (a) The current brochure required by this section to a client or prospective client, and (b) The current brochure supplements for each investment adviser representative who will provide advisory services to the client.

(iii) An investment adviser shall deliver the disclosure statement required by this section to an advisory client or prospective advisory client not less than 48 hours prior to entering into any investment advisory contract with such client or prospective client, or at the time of entering into any such contract, if the advisory client has the right to terminate the contract without penalty within 5 business days after entering into the contract.

(B) Any disclosure statement requested in writing by an advisory client pursuant to an offer required by subsection (c)(13)(C) shall be mailed or delivered within 7 days of the receipt of the request.

(C) If the adviser is the general partner of a limited partnership, the manager of a limited liability company, or the trustee of a trust, then for purposes of this section the investment adviser shall treat each of the partnership's limited partners, the company's members, or the trust's beneficial owners as a client. For purposes of subsection (c)(13)(C), a limited liability partnership or limited liability limited partnership is a "limited partnership."

(D) If an investment adviser renders substantially different types of investment advisory services to different advisory clients, the investment adviser may provide them with different disclosure documents or brochures, provided that each client receives all applicable information about services and fees. The brochure delivered to a client may omit any information required by Part 2A of Form ADV if such information is applicable only to a type of investment advisory service or fee that is not rendered or charged, or proposed to be rendered or charged, to that client or prospective client.

(E) The investment adviser shall amend its brochure and any brochure supplements and deliver the amendments to clients promptly when information contained in the brochure or brochure supplements becomes materially inaccurate. The instructions to Part 2 of Form ADV contain updating and delivery instructions that the investment adviser shall follow. An amendment will be considered to be delivered promptly if the amendment is delivered within 30 days of the event that requires the filing of the amendment.

(F) Nothing in this section shall relieve any investment adviser from any obligation pursuant to any provision of this chapter or the rules and regulations thereunder or other federal or state law to disclose any information to its advisory clients or prospective advisory clients not specifically required by this section.

(G)(i) If the investment adviser is a sponsor of a wrap fee program, then the brochure, required to be delivered by subsection (c)(13)(A) to a client or prospective client of the wrap fee program, must be a wrap fee brochure containing all information required by Form ADV. Any additional information in a wrap fee brochure shall be limited to information applicable to wrap fee programs that the investment adviser sponsors.

(ii) The investment adviser does not have to offer or deliver a wrap fee brochure if another sponsor of the wrap fee program offers or delivers to the client or prospective client of the wrap fee program a wrap fee program brochure containing all the information the investment adviser's wrap fee program brochure must contain.

(iii) A wrap fee brochure does not take the place of any brochure supplements that the investment adviser is required to deliver under subsection (c)(13)(G).

(H) All investment advisers registered or required to be registered under this chapter must deliver to each of their clients their current brochure and all required brochure supplements within 30 days from the date of effectiveness of Part 2 of Form ADV.

(I) For the purpose of subsection (c)(13)(G), the following definitions shall apply:

(i) "Current brochure" and "current brochure supplement" mean the most recent revision of the brochure or brochure supplement, including all subsequent amendments (i.e., stickers).

(ii) "Entering into" in reference to an investment advisory contract, does not include an extension or renewal without material change of any such contract which is in effect immediately prior to such extension or renewal.

(iii) "Sponsor" of a wrap fee program means an investment adviser that is compensated under a wrap fee program for sponsoring, organizing, or administering the program, or for selecting, or providing advice to clients regarding the selection of other investment advisers in the program.

(iv) "Wrap fee program" means an advisory program under which a specified fee or fees, not based directly upon transactions in a client's account, is charged for investment advisory services (which may include portfolio management or advice concerning the selection of other investment advisers) and the execution of client transactions.

(14)(A) Every registered investment adviser who has custody of client funds or securities or requires payment of advisory fees 6 months or more in advance and in excess of $500 per client shall file with the secretary of state an audited balance sheet as of the end of the investment adviser's fiscal year. Each balance sheet filed pursuant to subsection (c)(14)(A) shall be:

(i) Examined in accordance with generally accepted auditing standards and prepared in conformity with generally accepted accounting principles;

(ii) Audited by an independent public accountant or an independent certified public accountant; and

(iii) Accompanied by an opinion of the accountant as to the report of financial position and by a note stating the principles used to prepare it, the basis of included securities, and any other explanations required for clarity.

(B) The financial statements required by this subsection (c)(14) shall be filed with the secretary of state within 90 days following the end of the investment adviser's fiscal year.

(C) Every investment adviser that has its principal place of business in a state other than this state shall maintain such books or records as required by the state in which the investment adviser maintains its principal place of business, provided that the investment adviser:

(i) Is registered or licensed as such in the state in which it maintains its principal place of business; and

(ii) Is in compliance with the applicable books and records requirements of the state in which it maintains its principal place of business.

(15) Every licensed broker-dealer shall comply with minimum financial requirements and financial reporting requirements as follows:

(A) Each broker-dealer licensed or required to be licensed under this chapter shall comply with Rules 15c3-1, 15c3-2, and 15c-3 under the Securities and Exchange Act of 1934, 17 C.F.R. 240.15c3-1, 17 C.F.R. 240.15c3-2, and 17 C.F.R. 240.15c3-3.

(B) Each broker-dealer licensed or required to be licensed under this chapter shall comply with Rules 17a-11 under the Securities and Exchange Act of 1934, (17 C.F.R. 240.17a-11) and shall file with the secretary of state upon request, or as required by this chapter or orders or rules promulgated thereunder, copies of notices and reports required under Rules 17a-5, 17a-10, and 17a-11 under the Securities and Exchange Act of 1934, 17 C.F.R. 240.17a-5, 17 C.F.R. 240.17a-10, and 17 C.F.R. 240.17a-11.

(C) To the extent that the Securities and Exchange Commission promulgates changes to the rules, described in subsections (c)(15)(A) and (c)(15)(B) broker-dealers in compliance with such rules as amended shall not be subject to enforcement action by the secretary of state for violation of this section to the extent that the violation results solely from the broker-dealer's compliance with the amended rules.

(16) Every licensed investment adviser shall comply with minimum financial requirements and financial reporting requirements as follows:

(A) An investment adviser registered or required to be registered under this chapter who has custody of client funds or securities shall maintain at all times a minimum net worth of $35,000, and every investment adviser licensed or required to be licensed under this chapter who has discretionary authority over client funds or securities, but does not have custody of client funds or securities, shall maintain at all times a minimum net worth of $10,000.

(B) Unless otherwise exempted, as a condition of the right to continue to transact business in this state, every investment adviser registered or required to be registered under this chapter shall by the close of business on the next business day notify the secretary of state if such investment adviser's total worth is less than the minimum required. After transmitting such notice, each investment adviser shall file by the close of business on the next business day, a report with the secretary of state of its financial condition, including the following:

(i) A trial balance of all ledger accounts;

(ii) A statement of all client funds or securities which are not segregated;

(iii) A computation of the aggregate amount of client ledger debit balances; and

(iv) A statement as to the number of client accounts.

(C) For purposes of subsection (c)(16), the term "net worth," means an excess of assets over liabilities, as determined by generally accepted accounting principles, but shall not include as assets: prepaid expenses (except as to items properly classified as current assets under generally accepted accounting principles), deferred charges, goodwill, franchise rights, organizational expenses, patents, copyrights, marketing rights, unamortized debt discount and expense, all other assets of intangible nature; home, home furnishings, automobiles, and any other personal items not readily marketable in the case of an individual; advances or loans to stockbrokers and officers in the case of a corporation; and advances or loans to partners in the case of a partnership.

(D) The secretary of state may require that a current appraisal be submitted in order to establish the worth of any asset.

(E) For purposes of these rules an investment adviser shall not be deemed to be exercising discretion when it places a trade order with a broker-dealer, pursuant to a third party trading agreement if:

(i) The investment adviser has executed a separate investment adviser contract exclusively with its client which acknowledges that a third party trading agreement will be executed to allow the investment adviser to effect securities transactions for the client in the client's broker-dealer account;

(ii) The investment adviser contract specifically states that the client does not grant discretionary authority to the investment adviser, and the investment adviser in fact does not exercise discretion with respect to the account; and

(iii) A third party trading agreement is executed between the client and a broker-dealer which specifically limits the investment adviser's authority in the client's broker-dealer account to the placement of trade orders and deduction of investment adviser fees.

(F) Every investment adviser that has its principal place of business in a state other than this state shall maintain such minimal capital as required by the state in which the investment adviser maintains its principal place of business, provided that the investment adviser is licensed in such state and is in compliance with such state's minimal capital requirements.

(d) Audits or inspections.

(1) The records of a broker-dealer registered or required to be registered under this chapter and of an investment adviser registered or required to be registered under this chapter and of an issuer of securities whose principal office is located in this state are subject to such reasonable periodic, special, or other audits or inspections by a representative of the secretary of state, within or without this state, as the secretary of state considers necessary or appropriate in the public interest and for the protection of investors. An audit or inspection may be made at any time and without prior notice. The secretary of state may copy, and remove for audit or inspection copies of, all records the secretary of state reasonably considers necessary or appropriate to conduct the audit or inspection. The secretary of state may assess a reasonable charge for conducting an audit or inspection under this subsection (d)(1).

(2) For the purpose of ascertaining compliance with law or relationships and transactions between any person and any broker-dealer, investment adviser, or agent or proposed broker-dealer, investment adviser, or agent and in circumstances where the secretary of state has reasonable grounds to believe

there is noncompliance with or violation of any law, rule, or order, the secretary of state may, as often and to the extent he or she deems advisable, examine the accounts, records, documents, and transactions pertaining to or affecting the securities affairs or proposed securities affairs and transactions of:

(A) Any person having a contract under which the person enjoys by terms or in fact the exclusive or dominant right to manage or control the broker-dealer, investment adviser, or agent;

(B) Any person in this state engaged in, proposing to be engaged in, holding himself, herself, or itself out as so engaging, or proposing or assisting in the promotion, formation, or financing of a broker-dealer, investment adviser, or agent, or corporation or other group to finance a broker-dealer, investment adviser, or agent or the production of its business;

(C) Any rating bureau or organization;

(D) Any registrant or other person subject to this chapter; or

(E) If adequate information cannot be obtained, any broker-dealer, agent, investment adviser, holding company or person holding the shares of voting stock or proxies of a broker-dealer, investment adviser, or agent as voting trustee or otherwise, for the purpose of controlling the management thereof.

(3) Whenever the secretary of state decides to examine the affairs of any person, he or she shall designate one or more examiners and instruct them as to the scope of the examination. Upon demand, the examiner shall exhibit his or her official credentials to the person under examination.

(A) The secretary of state shall conduct each examination in an expeditious, fair, and impartial manner.

(B) Upon any such examination the secretary of state, or the examiner if specifically so authorized in writing by the secretary of state, shall have power to administer oaths, and the power to examine under oath any individual as to any matter relevant to the affairs under examination or relevant to the examination.

(C) Every person being examined, and all of the officers, attorneys, employees, agents, and representatives of such person shall make freely available to the secretary of state or his or her examiners the accounts, records, documents, files, information, assets, and matters in their possession or control relating to the subject of the examination and shall facilitate the examination.

(D) If the secretary of state or examiner finds any accounts or records to be inadequate, or kept or posted in a manner not in accordance with commonly accepted securities accounting principles, then the secretary of state may employ experts to reconstruct, rewrite, post or balance them at the expense of the person being examined if such person has failed to maintain, complete or correct such records or accounting after the secretary of state or examiner has given him or her written notice and a reasonable opportunity to do so.

(E) Neither the secretary of state nor any examiner shall remove any record, account, document, file or other property of the person being examined from the offices or place of such person except with the written consent of such person in advance of such removal or pursuant to an order of court duly obtained. Subsection (c)(2)(E) shall not be deemed to affect the making and removal of copies or abstracts of any such record, account, document, or file.

(F) Any individual who refuses without just cause to be examined under oath or who willfully obstructs or interferes with the examiners in the exercise of their authority pursuant to subsection (d) shall be guilty of a misdemeanor.

(4)(A) Upon completion of an examination, the examiner in charge shall make a true report thereof which shall comprise only facts appearing upon the books, records or other documents of the person examined, or as ascertained from the sworn testimony of its officers or agents or other individuals examined concerning its affairs, and such conclusions and recommendations as may reasonably be warranted from such facts. The report of examination shall be verified by the oath of the examiner in charge thereof.

(B) Such a report of examination of a broker-dealer or agent so verified shall be prima facie evidence in any delinquency proceeding against the broker-dealer or agent, its officers, employees, or agents upon the facts stated therein, whether or not the report has been filed as provided in subsection (d)(5)(C).

(5)(A) The secretary of state shall deliver a copy of the examination report to the person examined, together with a notice affording such person 20 days or such additional reasonable period as the secretary of state for good cause may allow, within which to review the report and recommend changes therein.

(B) If so requested by the person examined, then, within the period allowed under subsection (d)(5)(A), or if deemed advisable by the secretary of state without such request, the secretary of state

shall hold a closed hearing relative to the report and shall not file the report in the department until after such closed hearing and his or her order thereon; except, that the secretary of state may furnish a copy of the report to the governor, secretary of state or state treasurer pending final decision thereon.

(C) If no such closed hearing has been requested or held, then the examination report, with any modifications, that the secretary of state deems proper, shall be accepted by the secretary of state and filed upon expiration of the review period provided for in subsection (d)(5)(A). The report shall in any event be so accepted and filed within 6 months after final hearing thereon.

(D) The secretary of state shall forward to the person examined a copy of the examination report as filed, together with any recommendations or statements relating thereto which he or she deems proper.

(E) The report when so filed in the department shall be admissible in evidence in accordance with rules of the superior court, in any action or proceeding brought by the secretary of state against the person examined, or against its officers, employees, or agents. In any such action or proceeding, the secretary of state or his or her examiners may, however, at any time testify and offer proper evidence as to information secured or matters discovered during the course of an examination, whether or not a written report of the examination has been either made, furnished, or filed in the department.

(6) All reports pursuant to subsection (d) shall be absolutely privileged and although filed in the department as provided in subsection (d)(5) shall nevertheless not be for public inspection. The comments and recommendations of the examiner shall also be deemed confidential information and shall not be available for public inspection, except as the secretary of state in his or her discretion may deem advisable.

(7) The broker-dealer or other person examined pursuant to subsection (d) shall bear the expense of the examination. Such expenses shall be limited to a reasonable per diem allowance for compensation and expenses as determined by the secretary of state. The per diem allowance shall not exceed $100. Notwithstanding any other provision of law, domestic agents shall be exempt from bearing the expense of examinations conducted pursuant to subsection (d), except for the mileage expenses to and from the examination incurred by the department.

(8) Notwithstanding any other provision of law, the broker-dealer or other person liable for the travel expense of an examination pursuant to subsection (d)(7) shall make such payment either directly to the individual conducting the examination, whether or not such individual is a classified state employee, or to the state of New Hampshire, as may be directed by the secretary of state. The secretary of state may direct that the travel expense allowance be paid directly to the individual conducting the examination. The compensation allowance shall be paid directly to the state. The amounts paid directly to individuals conducting the examination pursuant to subsection (d) may be in excess of any amounts that may be appropriated for such purposes.

(e) Custody and discretionary authority bond or insurance. Subject to the Securities Exchange Act of 1934, 15 U.S.C. section 78o(h), or the Investment Advisers Act of 1940, 15 U.S.C. section 80b-18a, a rule adopted or order issued under this chapter may require a broker-dealer or investment adviser that has custody of or discretionary authority over funds or securities of a customer or client to obtain insurance or post a bond or other satisfactory form of security in an amount not to exceed $100,000. The secretary of state may determine the requirements of the insurance, bond, or other satisfactory form of security. Insurance or a bond or other satisfactory form of security may not be required of a broker-dealer registered under this chapter whose net capital exceeds, or of an investment adviser registered under this chapter whose minimum financial requirements exceed, the amounts required by rule or order under this chapter. The insurance, bond, or other satisfactory form of security must permit an action by a person to enforce any liability on the insurance, bond, or other satisfactory form of security if instituted within the time limitations in RSA 421-B:5-509(j)(2).

(f) Requirements for custody. Subject to the Securities Exchange Act of 1934, 15 U.S.C. section 78o(h), or the Investment Advisers Act of 1940, 15 U.S.C. section 80b-18a, an agent may not have custody of funds or securities of a customer except under the supervision of a broker-dealer and an investment adviser representative may not have custody of funds or securities of a client except under the supervision of an investment adviser or a federal covered investment adviser. An order issued under this chapter may prohibit, limit, or impose conditions on a broker-dealer regarding custody of funds or securities of a customer and on an investment adviser regarding custody of securities or funds of a client.

(g) Investment adviser brochure rule. Each investment adviser registered or required to be registered under this chapter shall furnish to its customers the information set forth in Part 2 of Form ADV.

(h) Continuing education. An order issued under this chapter may require an individual registered under RSA 421-B:4-402 or RSA 421-B:4-404 to participate in a continuing education program approved by the Securities and Exchange Commission and administered by a self-regulatory organization or, in the absence of such a program, a rule adopted or order issued under this chapter may require continuing education for an individual registered under RSA 421-B:4-404.

(i) Privacy provisions. A broker-dealer registered or required to be registered under this chapter and an investment adviser registered or required to be registered under this chapter shall comply with the privacy provisions of Regulation S-P adopted by the Securities and Exchange Commission.

(j) Requests for Information. The secretary of state may require at any reasonable time and in any reasonable manner from any person or company subject to this chapter:

(1) Statements, reports, including reports audited by independent public accountants, answers to questionnaires and other information, and evidence thereof, in whatever reasonable form he or she designates, and at such reasonable intervals as the secretary of state may choose, or from time to time;

(2) A full explanation of the programming of any data storage or communications systems in use; and

(3) Information from any books, records, electronic data processing systems, computers, or any other information storage system.

(k) Forms for reports. The secretary of state may prescribe forms for the reports under RSA 421-B:4-411(j). The forms shall be consistent, as far as practicable, with those prescribed by other states.

(l) Response to inquiries. Any officer, manager, or agent of any broker-dealer or investment adviser authorized to do or doing securities business in this state, and any person controlling or having a contract under which he or she has a right to control such a broker-dealer or investment adviser, whether exclusively or otherwise, and any person with executive authority over or in charge of any segment of such a broker-dealer's or investment adviser's business, shall reply promptly in writing or in other designated form, to any written inquiry from the secretary of state requesting a reply.

(m) Verification of communications. The secretary of state may require that any communication made to him or her under this section be verified.

(n) Privilege against defamation. In the absence of actual malice, no communication required by the secretary of state under this section shall subject the person making it to an action for damages for defamation.

(o) Privilege. The information obtained pursuant to RSA 421-B:4-411(j) shall be privileged.

(p) False filings. Any director, officer, agent, or employee of any broker-dealer, investment adviser, or agent who subscribes to, makes, or concurs in making or publishing, any annual or other statement required by law, having actual knowledge that the same contains any material statement which is false, shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

(q) Updating of information. If the information contained in any document filed with the secretary of state is or becomes inaccurate or incomplete in any material respect, the registrant or federal covered adviser shall file a correcting amendment promptly if the document is filed with respect to a registrant or when such amendment is required to be filed with the Securities and Exchange Commission if the document is filed with respect to a federal covered adviser, unless notification of the correction has been given under article 4.

(r) Incorporation of other securities laws and rules. Persons registered under this chapter to conduct securities business shall abide by the rules of the Securities and Exchange Commission, FINRA or successor organization, national and regional stock exchanges, and other self-regulatory organizations which have jurisdiction over the registrant, which set forth standards of conduct in the securities industry.

(s) Other Information for advisory clients. With respect to investment advisers, the secretary of state may require that certain information be furnished or disseminated as necessary or appropriate in the public interest or for the protection of investors and advisory clients. To the extent determined by the secretary of state, in the secretary of state's discretion, information furnished to clients or prospective clients of an investment adviser that would be in compliance with the Investment Advisers Act of 1940 and the rules thereunder may be used in whole or partial satisfaction of this requirement.

421-B:4-412 Denial, Revocation, Suspension, Withdrawal, Restriction, Condition, or Limitation of Registration.

(a) Disciplinary conditions, applicants. If the secretary of state finds that the order is in the public

interest and subsection (d) authorizes the action, an order issued under this chapter may deny an application, or may condition or limit registration: (1) of an applicant to be a broker-dealer, agent, investment adviser, or investment adviser representative, and (2) if the applicant is a broker-dealer or investment adviser, of any partner, officer, director, person having a similar status or performing similar functions, or person directly or indirectly controlling the broker-dealer or investment adviser.

(b) Disciplinary conditions, registrants. If the secretary of state finds that the order is in the public interest and subsection (d) authorizes the action, an order issued under this chapter may revoke, suspend, condition, or limit the registration of a registrant, and if the registrant is a broker-dealer or investment adviser, any partner, officer, or director, any person having a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment adviser. However, the secretary of state, under subsection (d)(5)(A) or (d)(5)(B), may not issue an order on the basis of an order under the state securities act of another state unless the other order was based on conduct for which subsection (d) would authorize the action had the conduct occurred in this state.

(c) Disciplinary penalties, registrants. If the secretary of state finds that the order is in the public interest and subsection (d) other than subsection (d)(7), (d)(11) or (d)(14) authorizes the action, an order under this chapter may censure, impose a bar, or impose a civil penalty in an amount not to exceed a maximum of $2,500 for each violation on a registrant and if the registrant is (i) a broker-dealer or investment adviser, (ii) any partner, officer, or director, any person having similar functions, or (iii) any person directly or indirectly controlling the broker-dealer or investment adviser.

(d) Grounds for discipline. A person may be disciplined under subsections (a) through (c) if the person:

(1) has filed an application for registration in this state under this chapter or the predecessor act within the previous 10 years, which, as of the effective date of registration or as of any date after filing in the case of an order denying effectiveness, was incomplete in any material respect or contained a statement that, in light of the circumstances under which it was made, was false or misleading with respect to a material fact;

(2) willfully violated or willfully failed to comply with this chapter or the predecessor act or an order issued under this chapter or the predecessor act within the previous 10 years;

(3) has been convicted of a felony or within the previous 10 years has been convicted of a misdemeanor involving (i) a security, a commodity future or option contract, or an aspect of a business involving securities, commodities, investments, franchises, insurance, banking, or finance, or (ii) theft, fraud, or any other offense involving dishonesty;

(4) is enjoined or restrained by a court of competent jurisdiction in an action instituted by the secretary of state under this chapter or the predecessor act, a state, the Securities and Exchange Commission, or the United States from engaging in or continuing an act, practice, or course of business involving an aspect of a business involving securities, commodities, investments, franchises, insurance, banking, or finance;

(5) is the subject of an order, issued after notice and opportunity for hearing by:

(A) the securities, depository institution, insurance, or other financial services regulator of a state or by the Securities and Exchange Commission or other federal agency denying, revoking, barring, or suspending registration as a broker-dealer, agent, investment adviser, federal covered investment adviser, or investment adviser representative;

(B) the securities regulator of a state or by the Securities and Exchange Commission against a broker-dealer, agent, investment adviser, investment adviser representative, or federal covered investment adviser;

(C) the Securities and Exchange Commission or by a self-regulatory organization suspending or expelling the registrant from membership in the self-regulatory organization;

(D) a court adjudicating a United States Postal Service fraud order;

(E) the insurance regulator of a state denying, suspending, or revoking the registration of an insurance agent; or

(F) a depository institution regulator suspending or barring a person from the depository institution business;

(6) is the subject of an adjudication or determination, after notice and opportunity for hearing, by the Securities and Exchange Commission, the Commodity Futures Trading Commission; the Federal Trade Commission; a federal depository institution regulator, or a depository institution, insurance, or other financial services regulator of a state that the person willfully violated

the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, or the Commodity Exchange Act, the securities or commodities law of a state, or a federal or state law under which a business involving investments, franchises, insurance, banking, or finance is regulated;

(7) is insolvent, either because the person's liabilities exceed the person's assets or because the person cannot meet the person's obligations as they mature, but the secretary of state may not enter an order against an applicant or registrant under subsection (d)(7) without a finding of insolvency as to the applicant or registrant;

(8) refuses to allow or otherwise impedes the secretary of state from conducting an audit or inspection under RSA 421-B:4-411(d) or refuses access to a registrant's office to conduct an audit or inspection under RSA 421-B:4-411(d);

(9) has failed to reasonably supervise an agent, investment adviser representative, or other individual, if the agent, investment adviser representative, or other individual was subject to the person's supervision and committed a violation of this chapter or the predecessor act or a rule adopted or order issued under this chapter or the predecessor act;

(10) has not paid the proper filing fee within 30 days after having been notified by the secretary of state of a deficiency, but the secretary of state shall vacate an order under subsection (d)(10) when the deficiency is corrected;

(11) after notice and opportunity for a hearing, has been found within the previous 10 years:

(A) by a court of competent jurisdiction to have willfully violated the laws of a foreign jurisdiction under which the business of securities, commodities, investment, franchises, insurance, banking, or finance is regulated;

(B) to have been the subject of an order of a securities regulator of a foreign jurisdiction denying, revoking, or suspending the right to engage in the business of securities as a broker-dealer, agent, investment adviser, investment adviser representative, or similar person; or

(C) to have been suspended or expelled from membership by or participation in a securities exchange or securities association operating under the securities laws of a foreign jurisdiction;

(12) is the subject of a cease and desist order issued by the Securities and Exchange Commission or issued under the securities, commodities, investment, franchise, banking, finance, or insurance laws of a state;

(13) has engaged in dishonest or unethical practices in the securities, commodities, investment, franchise, banking, finance, or insurance business within the previous 10 years; or

(14) is not qualified on the basis of factors such as training, experience, and knowledge of the securities business. However, in the case of an application by an agent for a broker-dealer that is a member of a self-regulatory organization or by an individual for registration as an investment adviser representative, a denial order may not be based on subsection (d)(14) if the individual has successfully completed all examinations required by subsection (e). The secretary of state may require an applicant for registration under RSA 421-B:4-402 or RSA 421-B:4-404 who has not been registered in a state within the 2 years preceding the filing of an application in this state to successfully complete an examination.

(e) Examinations.

(1) Each applicant for individual broker-dealer registration or registration as an agent of a broker-dealer shall provide the secretary of state with proof of obtaining a passing score on the Uniform Securities Agent State Law Examination (Series 63 examination) or the Uniform Combined State Law Examination (Series 66 examination).

(2) Each applicant for individual investment adviser licensure or investment adviser representative registration shall provide the secretary of state with proof of obtaining a passing score on one of the following examination requirements:

(A) The Uniform Investment Adviser Law Examination (Series 65 examination); or

(B) The General Securities Representative Examination (Series 7 examination) and the Uniform Combined State Law Examination (Series 66 examination).

(3)(A) Any individual who was registered or licensed as an investment adviser or investment adviser representative in any jurisdiction in the United States on January 1, 2016 shall not be required to satisfy the examination requirements for investment adviser registration in this state, except that the secretary of state may require additional examinations for any individual found to have violated any state or federal securities law.

(B) Any individual who has not been registered or licensed in any jurisdiction for a period of 2 years shall be required to comply with the examination requirements.

(4)(A) The examination requirement shall not apply to an individual who upon application holds one of the following professional designations:

(i) Certified Financial Planner (CFP) awarded by the Certified Financial Planner Board of Standards, Inc.;

(ii) Chartered Financial Consultant (ChFC) awarded by the American College, Bryn Mawr, Pennsylvania;

(iii) Personal Financial Specialist (PFS) awarded by the American Institute of Certified Public Accountants;

(iv) Chartered Financial Analyst (CFA) awarded by the CFA Institute;

(v) Chartered Investment Counselor (CIC) awarded by the Investment Advisor Association; or

(vi) Such other professional designation as the secretary of state may by rule or order recognize.

(B) The examination requirements shall not apply to a solicitor that submits an application to the secretary of state containing:

(i) A request for a waiver of the examination requirements;

(ii) A copy of the solicitation agreement;

(iii) A copy of the disclosure document of the investment adviser on whose behalf the solicitor solicits or refers clients disclosing the arrangements between the solicitor and the investment adviser; and

(iv) An undertaking that, prior to, or at the time of, entering into any investment advisory contract with a client, the investment adviser will obtain from such client a signed and dated acknowledgment of receipt of the investment adviser's written disclosure statement and acknowledgment that the investment advisory contract is being entered into pursuant to a solicitation arrangement with the solicitor as described in the investment adviser's written disclosure statement.

(f) Summary process. The secretary of state may suspend or deny an application summarily; restrict, condition, limit, or suspend a registration; or censure, bar, or impose a civil penalty on a registrant before final determination of an administrative proceeding. Upon the issuance of an order, the secretary of state shall promptly notify each person subject to the order that the order has been issued, the reasons for the action, and that within 15 days after the receipt of a request in a record from the person the matter will be scheduled for a hearing. If a hearing is not requested and none is ordered by the secretary of state within 30 days after the date of service of the order, the order becomes final by operation of law. If a hearing is requested or ordered, the secretary of state, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend the order until final determination.

(g) Procedural requirements. An order issued may not be issued under this section, except under subsection (f), without:

(1) appropriate notice to the applicant or registrant;

(2) opportunity for hearing; and

(3) findings of fact and conclusions of law in a record in accordance with RSA 541-A.

(h) Control person liability. A person that controls, directly or indirectly, a person not in compliance with this section may be disciplined by order of the secretary of state under subsections (a) through (c) to the same extent as the noncomplying person, unless the controlling person did not know, and in the exercise of reasonable care could not have known, of the existence of conduct that is a ground for discipline under this section.

ARTICLE 5

Fraud and Liabilities

421-B:5-501 Fraud and Liabilities.

(a) General fraud. It is unlawful for a person, in connection with the offer, sale, or purchase of a security, directly or indirectly, to:

(1) employ a device, scheme, or artifice to defraud;

(2) make an untrue statement of a material fact or to omit to state a material fact necessary in order to make the statement made, in the light of the circumstances under which they were made, not misleading; or

(3) engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person.

(b) Supplemental provisions.

(1) Suitability of recommendation; reasonable grounds required.

(A) In recommending to a customer the purchase, sale, or exchange of a security, a broker-dealer or broker-dealer agent must have reasonable grounds for believing that the recommendation is suitable for the customer upon the basis of the facts, if any, disclosed by the customer after reasonable inquiry as to the customer's other security holdings and as to the customer's financial situation and needs.

(B) Before the execution of a transaction recommended to a noninstitutional customer, other than transactions with customers where investments are limited to money market mutual funds, a broker-dealer, salesperson, investment adviser, or investment adviser representative shall make reasonable efforts to obtain information concerning:

(i) The customer's financial status;

(ii) The customer's tax status;

(iii) The customer's investment objectives; and

(iv) Such other information used or considered to be reasonable by the broker-dealer, salesperson, investment adviser, or investment adviser representative in making recommendations to the customer.

(2) Guarantees and excessive trading practices. It shall constitute a device, scheme or artifice to defraud within the meaning of this section for any person to:

(A) Represent in the offer or sale of securities, either directly or by implication, in writing or orally, that there is a guarantee against risk or loss;

(B) Induce excessive trading in a customer's account, or induce trading beyond that customer's known financial resources; or

(C) Effect transactions in the account of a customer without his knowledge or maintain discretionary accounts without written authorization.

(3) Recordkeeping and customer statements. Any act of any broker-dealer designed to effect with or for any customer's account, in respect to which such broker-dealer or his or her agent or employee is vested with any discretionary power, any transaction for the purchase or sale of a security shall constitute a "device, scheme or artifice to defraud" within the meaning of this section unless:

(A) immediately after effecting such transaction such broker-dealer make a record of such transaction, which record includes:

(i) the name of such customer;

(ii) the name, amount and price of the security; and

(iii) the date and time when such transaction took place; and

(B) the broker-dealer sends each month to each customer in whose account such broker-dealer exercises any discretionary authority, an itemized statement showing the funds and securities in the custody or possession of the broker-dealer at the end of such period, and all debits, credits, and transactions in such client's account during such period.

(4) Deceptive representations and actions. Without implied limitation, the following shall be deemed schemes or artifices to defraud:

(A) creating an atmosphere of false supply or demand or engaging in market manipulations.

(B) creating unreasonable delays in delivering securities.

(C) representing that securities will be listed on a national exchange or that application for listing will be made, without any basis in fact for such representation.

(D) selling or soliciting the purchase of one security conditioned upon the customer's agreement to purchase another security.

421-B:5-502 Prohibited Conduct in Providing Investment Advice.

(a) Fraud in providing investment advice. It is unlawful for any person that advises others for compensation, either directly or indirectly or through publications or writings, as to the value of securities or the advisability of investing in, purchasing, or selling securities or that, for compensation and as part of a regular business, issues or promulgates analyses or reports relating to securities:

(1) to employ a device, scheme, or artifice to defraud another person; or

(2) to engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person.

(b) Supplemental provisions.

(1) It shall constitute a fraudulent or deceptive act, practice, or course of business within the meaning of subsection (a) for any investment adviser registered or required to be registered to fail to disclose to any client or prospective client all material facts with respect to:

(A) a financial condition of the investment adviser that is reasonably likely to impair the ability of the investment adviser to meet contractual commitments to clients, if the investment adviser has discretionary authority (express or implied) or custody over such client's funds or securities, or requires prepayment of advisory fees of more than $500 from such client, 6 months or more in advance; or

(B) a legal or disciplinary event that is material to an evaluation of the adviser's integrity or ability to meet contractual commitments to clients.

(2) A person who is an investment adviser or investment adviser representative is a fiduciary and has a duty to act primarily for the benefit of the person's clients. While the extent and nature of this duty varies according to the nature of the relationship between an investment adviser and the clients and the circumstances of each case, an investment adviser or investment adviser representative shall not engage in unethical business practices which constitute violations of subsection (a), including the following:

(A) Recommending to a client to whom investment supervisory, management, or consulting services are provided the purchase, sale, or exchange of any security without reasonable grounds to believe that the recommendation is suitable for the client on the basis of information furnished by the client after reasonable inquiry concerning the client's investment objectives, financial situation and needs, and any other information known by the investment adviser or investment adviser representative.

(B) Exercising any discretionary power in placing an order for the purchase or sale of securities for a client without obtaining written discretionary authority from the client within 10 business days after the date of the first transaction placed pursuant to oral discretionary authority, unless the discretionary power relates solely to the price at which, or the time when, an order involving a definite amount of a specified security shall be executed, or both.

(C) Introducing trading in a client's account that is excessive in size or frequency in view of the financial resources, investment objectives, and character of the account in light of the fact that an adviser in such situations can directly benefit from the number of securities transactions effected in a client's account. Subsection (b)(2)(B) appropriately forbids an excessive number of transaction orders to be induced by an investment adviser or investment adviser representative for a client's account.

(D) Placing an order to purchase or sell a security for the account of a client without the authority to do so.

(E) Placing an order to purchase or sell a security for the account of a client upon instruction of a third party without first having obtained a written third party trading authorization from the client.

(F) Borrowing money or securities from a client unless a client is a broker-dealer, an affiliate of the investment adviser, or a financial institution engaged in the business of loaning funds.

(G) Loaning money to a client unless the investment adviser is a financial institution engaged in the business of loaning funds or the client is an affiliate of the investment adviser.

(H) Misrepresenting to any advisory client, or prospective advisory client, the qualifications of the investment adviser, investment adviser representative, or any employee of the investment adviser, or misrepresenting the nature of the advisory services being offered or fees to be charged for such services, or omitting to state a material fact necessary to make the statements made regarding qualifications, services or fees, in light of the circumstances under which they are made, not misleading.

(I) Providing a report or recommendation to any advisory client prepared by someone other than the investment adviser or investment adviser representative without disclosing that fact. This prohibition does not apply to a situation where the investment adviser or investment adviser representative uses published research reports or statistical analysis to render advice or where a representative orders such a report in the normal course of providing service.

(J) Charging a client an unreasonable advisory fee.

(K) Failing to disclose to clients in writing before any advice is rendered any material conflict of interest relating to the investment adviser, investment adviser representative, or any of its employees which could reasonably be expected to impair the rendering of unbiased and objective advice. including:

(i) Compensation arrangements connected with advisory services to clients which are in addition to compensation from such clients or such services; and

(ii) Charging a client an advisory fee for rendering advice when a commission for executing securities transactions pursuant to such advice will be received by the adviser or its employees.

(L) Guaranteeing a client that a specific result will be achieved, such as gain or no loss, with advice which will be rendered.

(M) Publishing, circulating, or distributing any advertisement which does not comply with Rule 206(4)-1 under the Investment Advisers Act of 1940, 17 C.F.R. 275.206(4)-1.

(N) Disclosing the identity, affairs, or investments of any client unless required by law to do so, or unless consented to in writing by the client.

(O) Taking any action, directly or indirectly, with respect to those securities or funds in which any client has any beneficial interest, where the investment adviser or investment adviser representative has custody or possession of such securities or funds when the adviser's action is subject to and does not comply with the requirements of Rule 206(4)-2 under the Investment Advisers Act of 1940, 17 C.F.R. 275.206(4)-2.

(P) Entering into, extending, or renewing any investment adviser contract unless such contract is in writing and discloses, in substance, the services to be provided, the term of the contract, the advisory fee, the formula for computing the fee, the amount of prepaid fee to be returned in the event of contract termination or non-performance, whether the contract grants discretionary power to the investment adviser or investment adviser representative, and that no assignment of such contract shall be made by the investment adviser without the written consent of the other party to the contract.

(Q) Entering into, extending, or renewing any investment adviser contract that provides for compensation to the investment adviser on the basis of a share of capital gains upon or capital appreciation of the funds or any portion of the funds of the client.

(i) Subsection (b)(2)(Q) shall not:

(a) be construed to prohibit an investment advisory contract which provides for compensation based upon the total value of a fund averaged over a definite period, or as of definite dates, or taken as of a definite date; or

(b) apply to an investment advisory contract with a person (except a trust, governmental plan, collective trust fund, or separate account), provided that the contract relates to the investment of assets in excess of $1,000,000, if the contract provides for compensation based on the asset value of the company or fund under management averaged over a specified period and increasing and decreasing proportionately with the investment performance of the company or fund over a specified period in relation to the investment record of an appropriate index of securities prices or such other measure of investment performance as the secretary of state by rule may specify.

(ii) Subsection (b)(2)(Q) shall not be deemed to prohibit an investment adviser from entering into, performing, renewing, or extending an investment advisory contract that provides for compensation to the investment adviser on the basis of a share of the capital gains upon, or the capital appreciation of, the funds, or any portion of the funds, of a client, provided that the client entering into the contract subject to subsection (b)(2)(Q) is a qualified client defined as any one of the following persons:

(a) A natural person who or a company that immediately after entering into the contract has as least $750,000 under the management of the investment adviser.

(b) A natural person who or a company that the investment adviser entering into the contract (and any person acting on his behalf) reasonably believes, immediately prior to entering into the contract, either:

(1) has a net worth (together, in the case of a natural person, with assets held jointly with a spouse) of more than $1,500,000 at the time the contract is entered into; or

(2) is a qualified purchaser as defined in the Investment Company Act of 1940, 14 U.S.C. 802-a(a)(51)(A), at the time the contract is entered into.

(c) A natural person who immediately prior to entering into the contract is:

(1) an executive officer, director, trustee, general partner, or person serving in a similar capacity, of the investment adviser; or

(2) an employee of the investment adviser (other than an employee performing solely clerical, secretarial or administrative functions with regard to the investment adviser) who, in connection with his or her regular functions or duties, participates in the investment activities of such investment adviser, provided that such employee has been performing such functions and duties for or on behalf of the investment adviser, or substantially similar functions or duties for or on behalf of another company for at least 12 months.

(d) The secretary of state, upon his or her own motion, or by order upon application, may conditionally or unconditionally exempt any person or transaction, or any class or classes of persons or transactions, from subsection (b)(2)(Q), if and to the extent that the exemption relates to an investment advisory contract with any person that the secretary of state determines does not need the protections of subsection (b)(d)(Q), on the basis of such factors as financial sophistication, net worth, knowledge of and experience in financial matters, amount of assets under management, relationship with a registered investment adviser, and such other factors as the secretary of state determines are consistent with subsection (b)(2).

(R) Failing to establish, maintain, and enforce written policies and procedures reasonably designed to prevent the misuse of material nonpublic information in violation of section 204A of the Investment Advisers Act of 1940.

(S) Entering into, extending, or renewing any advisory contract which would violate section 205 of the Investment Advisers Act of 1940. This provision shall apply to all investment advisers and investment adviser representatives registered or required to be registered under this chapter.

(T) Indicating, in an advisory contract, any condition, stipulation, or provisions binding any person to waive compliance with any provision of this chapter or of the Investment Advisers Act of 1940 or any other practice that would violate section 215 of the Investment Advisers Act of 1940.

(U) Engaging in any act, practice, or course of business which is fraudulent or deceptive in contravention of section 206(4) of the Investment Advisers Act of 1940, notwithstanding the fact that such investment adviser is not registered or required to be registered under section 203 of the Investment Advisers Act of 1940.

(V) Engaging in conduct or any act, indirectly or through or by any other person, which would be unlawful for such person to do directly under the provisions of this chapter or any rule adopted under it.

(3) The conduct set forth in subsection (b)(2) is not inclusive. Engaging in other conduct such as nondisclosure, incomplete disclosure, or deceptive practices, shall be deemed an unethical business practice. The federal statutory and regulatory provisions referenced in subsection (b)(2) shall apply to investment advisers and investment adviser representatives, regardless of whether the federal provision limits its application to investment advisers subject to federal registration.

421-B:5-502-A Custody of Client Funds or Securities by Investment Advisers.

(a) Safekeeping required. It is unlawful and deemed to be a fraudulent or deceitful act, practice, or course of business for an investment adviser, registered or required to be registered, to have custody of client funds or securities unless:

(1) Notice to secretary of state. The investment adviser notifies the secretary of state promptly in writing that the investment adviser has or may have custody. Such notification is required to be given on Form ADV;

(2) Qualified custodian. A qualified custodian maintains those funds and securities:

(A) in a separate account for each client under that client's name; or

(B) in accounts that contain only the investment adviser's clients' funds and securities, under the investment adviser's name as agent or trustee for the clients, or, in the case of a pooled investment vehicle that the investment adviser manages, in the name of the pooled investment vehicle.

(3) Notice to clients. If an investment adviser opens an account with a qualified custodian on its client's behalf, under the client's name, under the name of the investment adviser as agent, or under the name of a pooled investment vehicle, the investment adviser must notify the client in writing of the qualified custodian's name, address, and the manner in which the funds or securities are maintained, promptly when the account is opened and following any changes to this information. If the investment adviser sends account statements to a client to which the investment adviser is required to provide this notice, the investment adviser must include in the notification provided to that client and in any subsequent account statement the investment adviser sends that client a statement urging the client to compare the account statements from the custodian with those from the investment adviser.

(4) Account statements. The investment adviser has a reasonable basis, after due inquiry, for believing that the qualified custodian sends an account statement, at least quarterly, to each client for which it maintains funds or securities, identifying the amount of funds and the amount of each security in the account at the end of the period and setting forth all transactions in the account during that period.

(5) Special rule for limited partnerships and limited liability companies. If the investment adviser or a related person is a general partner of a limited partnership (or managing member of a limited liability company, or holds a comparable position for another type of pooled investment vehicle), the account statements required under subsection (a)(4) must be sent to each limited partner (or member or other beneficial owner).

(6) Independent verification. The client funds and securities of which the investment adviser has custody are verified by actual examination at least once during each calendar year, by an independent certified public accountant, pursuant to a written agreement between the investment adviser and the independent certified public accountant, at a time that is chosen by the independent certified public accountant without prior notice or announcement to the investment adviser and that is irregular from year to year. The written agreement must provide for the first examination to occur within 6 months of becoming subject to subsection (a)(6), except that, if the investment adviser maintains client funds or securities pursuant to this section as a qualified custodian, the agreement must provide for the first examination to occur no later than 6 months after obtaining the internal control report. The written agreement must require the independent certified public accountant to:

(A) file a certificate on Form ADV-E with the secretary of state within 120 days of the time chosen by the independent certified public accountant in subsection (a)(6), stating that it has examined the funds and securities and describing the nature and extent of the examination.

(B) notify the secretary of state within one business day of the finding of any material discrepancies during the course of the examination, by means of a facsimile transmission or electronic mail, followed by first class mail, directed to the attention of the secretary of state; and

(C) file within 4 business days of the resignation or dismissal from, or other termination of, the engagement, or removing itself or being removed from consideration for being reappointed, Form ADV-E accompanied by a statement that includes:

(i) The date of such resignation, dismissal, removal, or other termination, and the name, address, and contact information of the independent certified public accountant; and

(ii) An explanation of any problems relating to examination scope or procedure that contributed to such resignation, dismissal, removal, or other termination.

(7) Investment advisers acting as qualified custodians. If the investment adviser maintains, or if the investment adviser has custody because a related person maintains, client funds or securities pursuant to this section as a qualified custodian in connection with advisory services the investment adviser provides to clients, the following shall apply:

(A) The independent certified public accountant the investment adviser retains to perform the independent verification required by subsection (a)(6) must be registered with, and subject to regular inspection as of the commencement of the professional engagement period, and as of each calendar year-end, by, the Public Company Accounting Oversight Board in accordance with its rules; and

(B) The investment adviser must obtain, or receive from its related person, within 6 months of becoming subject to subsection (a)(7) and thereafter no less frequently than once each calendar year a written internal control report prepared by an independent certified public accountant:

(i) The internal control report must include an opinion of an independent certified public accountant as to whether controls have been placed in operation as of a specific date, and are suitably designed and are operating effectively to meet control objectives relating to custodial services, including the safeguarding of funds and securities held by either the investment adviser or a related person on behalf of the investment adviser's clients, during the year;

(ii) The independent certified public accountant must verify that the funds and securities are reconciled to a custodian other than the investment adviser or the investment advisers related person; and

(iii) The independent certified public accountant must be registered with, and subject to regular inspection as of the commencement of the professional engagement period, and as of each calendar year-end, by, the Public Company Accounting Oversight Board in accordance with its rules.

(8) Independent representatives. A client may designate an independent representative to receive, on his or her behalf, notices and account statements as required under subsections (a)(3) and (a)(4).

(b) Exceptions.

(1) Shares of open end mutual funds. With respect to shares of an open end mutual fund, the investment adviser may use the open end mutual fund's transfer agent in lieu of a qualified custodian for purposes of complying with subsection (a);

(2) Certain privately offered securities.

(A) The investment adviser is not required to comply with subsection (a)(2) with respect to securities that are:

(i) acquired from the issuer in a transaction or chain of transactions not involving any public offering; and

(ii) uncertificated and ownership thereof is recorded only on the books of the issuer or its transfer agent in the name of the client; and transferable only with prior consent of the issuer or holders of the outstanding securities of the issuer.

(iii) Notwithstanding subsection (b)(2)(A), subsection (b)(2) shall apply with respect to securities held for the account of a limited partnership (or limited liability company, or other type of pooled investment vehicle) only if the limited partnership is audited, and the audited financial statements are distributed, as described in subsection (b)(4) and the investment adviser notifies the secretary of state in writing that the investment adviser intends to provide audited financial statements, as described in subsection (a). Such notification is required to be provided on Form ADV.

(3) Fee deduction. Notwithstanding subsection (a)(6), an investment adviser is not required to obtain an independent verification of client funds and securities maintained by a qualified custodian if all of the following conditions are met:

(A) The investment adviser has custody of the funds and securities solely as a consequence of its authority to make withdrawals from client accounts to pay its advisory fee;

(B) The investment adviser has written authorization from the client to deduct advisory fees from the account held with the qualified custodian;

(C) Each time a fee is directly deducted from a client account, the investment adviser concurrently:

(i) sends the qualified custodian an invoice or statement of the amount of the fee to be deducted from the client's account; and

(ii) sends the client an invoice or statement itemizing the fee. Itemization includes the formula used to calculate the fee, the amount of assets under management the fee is based on, and the time period covered by the fee; and

(D) The investment adviser notifies the secretary of state in writing that the investment adviser intends to use the safeguards provided in subsection (b)(3). Such notification is required to be given on Form ADV.

(4) Limited partnerships subject to annual audit. An investment adviser is not required to comply with subsections (a)(3) and (a)(4) and shall be deemed to have complied with subsection (a)(6) with respect to the account of a limited partnership (or limited liability company, or another type of pooled investment vehicle) if each of the following conditions are met:

(A) The adviser sends to all limited partners (or members or other beneficial owners) at least quarterly, a statement showing:

(i) the total amount of all additions to and withdrawals from the fund as a whole as well as the opening and closing value of the fund at the end of the quarter based on the custodian's records;

(ii) a listing of all long and short positions on the closing date of the statement in accordance with FASB Rule ASC 946-210-50; and

(iii) the total amount of additions to and withdrawals from the fund by the investor as well as the total value of the investor's interest in the fund at the end of the quarter;

(B) At least annually the fund is subject to an audit and distributes its audited financial statements prepared in accordance with generally accepted accounting principles to all limited partners (or members or other beneficial owners) and the secretary of state within 120 days of the end of its fiscal year;

(C) The audit is performed by an independent certified public accountant that is registered with, and subject to regular inspection as of the commencement of the professional engagement period, and as of each calendar year-end, by, the Public Company Accounting Oversight Board in accordance with its rules;

(D) Upon liquidation, the adviser distributes the fund's final audited financial statements prepared in accordance with generally accepted accounting principles to all limited partners (or members or other beneficial owners) and the secretary of state promptly after the completion of such audit;

(E) The written agreement with the independent certified public accountant must require the independent certified public accountant to, upon resignation or dismissal from, or other termination of, the engagement, or upon removing itself or being removed from consideration for being reappointed, notify the secretary of state within 4 business days accompanied by a statement that includes:

(i) The date of such resignation, dismissal, removal, or other termination, and the name, address, and contact information of the independent certified public accountant; and

(ii) An explanation of any problems relating to audit scope or procedure that contributed to such resignation, dismissal, removal, or other termination;

(F) The investment adviser must also notify the secretary of state in writing that the investment adviser intends to employ the use of the statement delivery and audit safeguards described above. Such notification is required to be given on Form ADV.

(5) Registered investment companies. The investment adviser is not required to comply with this section with respect to the account of an investment company registered under the Investment Company Act of 1940.

(c) Delivery to related persons. Sending an account statement under subsection (a)(5) or distributing audited financial statements under subsection (b)(4) shall not satisfy the requirements of this section if such account statements or financial statements are sent solely to limited partners (or members or other beneficial owners) that themselves are limited partnerships (or limited liability companies, or another type of pooled investment vehicle) and are related persons of the investment adviser.

(d) Definitions. For purposes of this section the following definitions shall apply:

(1) "Control" means the power, directly or indirectly, to direct the management or policies of a person whether through ownership of securities, by contract, or otherwise. Control includes:

(A) (or persons having similar status or functions) is presumed to control the investment adviser;

(B) A person is presumed to control a corporation if the person:

(i) directly or indirectly has the right to vote 25 percent or more of a class of the corporation's voting securities; or

(ii) has the power to sell or direct the sale of 25 percent or more of a class of the corporation's voting securities;

(C) A person is presumed to control a partnership if the person has the right to receive upon dissolution, or has contributed, 25 percent or more of the capital of the partnership;

(D) A person is presumed to control a limited liability company if the person:

(i) directly or indirectly has the right to vote 25 percent or more of a class of the interests of the limited liability company;

(ii) has the right to receive upon dissolution, or has contributed, 25 percent or more of the capital of the limited liability company; or

(iii) is an elected manager of the limited liability company; and

(E) A person is presumed to control a trust if the person is a trustee or managing agent of the trust.

(2) "Custody" means holding directly or indirectly, client funds or securities, having any authority to obtain possession of them or having the ability to appropriate them. The investment adviser has custody if a related person holds, directly or indirectly, client funds or securities, or has any authority to obtain possession of them, in connection with advisory services the investment adviser provides to clients.

(A) Custody includes:

(i) Possession of client funds or securities unless the investment adviser receives them inadvertently and returns them to the sender promptly but in any case within 3 business days of receiving them;

(ii) Any arrangement (including a general power of attorney) under which the investment adviser is authorized or permitted to withdraw client funds or securities maintained with a custodian upon the investment adviser's instruction to the custodian; and

(iii) Any capacity (such as general partner of a limited partnership, managing member of a limited liability company or a comparable position for another type of pooled investment vehicle, or trustee of a trust) that gives the investment adviser or its supervised person legal ownership of or access to client funds or securities.

(B) Receipt of checks drawn by clients and made payable to third parties will not meet the definition of custody if forwarded to the third party within 3 business days of receipt and the investment adviser maintains a ledger or other listing of all securities or funds held or obtained, including the following information:

(i) Issuer;

(ii) Type of security and series;

(iii) Date of issue;

(iv) For debt instruments, the denomination, interest rate, and maturity date;

(v) Certificate number, including alphabetical prefix or suffix;

(vi) Name in which registered;

(vii) Date given to the adviser;

(viii) Date sent to client or sender;

(ix) Form of delivery to client or sender, or copy of the form of delivery to client or sender; and

(x) Mail confirmation number, if applicable, or confirmation by client or sender of the fund's or security's return.

(3) "Independent certified public accountant" means a certified public accountant that meets the standards of independence described in Rule 2-01(b) and (c) of Regulation S-X 17 C.F.R. 210.2- 01(b) and (c).

(4) "Independent party" means a person that:

(A) is engaged by the investment adviser to act as a gatekeeper for the payment of fees, expenses and capital withdrawals from the pooled investment;

(B) does not control and is not controlled by and is not under common control with the investment adviser;

(C) does not have, and has not had within the past 2 years, a material business relationship with the investment adviser; and

(D) shall not negotiate or agree to have material business relations or commonly controlled relations with an investment adviser for a period of 2 years after serving as the person engaged in an independent party agreement.

(5) "Independent representative" means a person who:

(A) acts as agent for an advisory client, including in the case of a pooled investment vehicle, for limited partners or a limited partnership, members of a limited liability company, or other beneficial owners of another type of pooled investment vehicle and by law or contract is obliged to act in the best interest of the advisory client or the limited partners, members, or other beneficial owners;

(B) does not control, is not controlled by, and is not under common control with investment adviser; and

(C) does not have, and has not had within the past 2 years, a material business relationship with the investment adviser.

(6) "Qualified custodian" means the following:

(A) A bank or savings association that has deposits insured by the Federal Deposit Insurance Corporation under the Federal Deposit Insurance Act;

(B) A trust company;

(C) A broker-dealer registered in this jurisdiction and with the SEC holding the client assets in customer accounts;

(D) A registered futures commission merchant registered under section 4f(a) of the Commodity Exchange Act, holding the client assets in customer accounts, but only with respect to clients' funds and security futures, or other securities incidental to transactions in contracts for the purchase or sale of a commodity for future delivery and options thereon; and

(E) A foreign financial institution that customarily holds financial assets for its customers, provided that the foreign financial institution keeps the advisory clients' assets in customer accounts segregated from its proprietary assets.

(7) "Related person" means any person, directly or indirectly, controlling or controlled by the investment adviser, or any person that is under common control with the investment adviser.

421-B:5-503 Evidentiary Burden.

(a) Civil. In a civil action or administrative proceeding under this chapter, a person claiming an exemption, exception, preemption, or exclusion has the burden to prove the applicability of the claim.

(b) Criminal. In a criminal proceeding under this chapter, a person claiming an exemption, exception, preemption, or exclusion has the burden of going forward with evidence of the claim.

421-B:5-504 Filing of Sales and Advertising Literature.

(a) Filing requirement. Except as otherwise provided in subsection (b), an order issued under this chapter may require the filing of a prospectus, pamphlet, circular, form letter, advertisement, sales literature, or other advertising record relating to a security or investment advice, addressed or intended for distribution to prospective investors, including clients or prospective clients of a person registered or required to be registered as an investment adviser under this chapter.

(b) Secretary of state's discretionary information requests. The secretary of state may require at any reasonable time and in any reasonable manner from any person or issuer subject to this title, statements; reports, including reports audited by independent public accountants and sales reports; answers to questionnaires; and other information and evidence thereof, in whatever reasonable form the secretary of state designates, and at such reasonable intervals as the secretary of state may choose, or from time to time.

(c) Excluded communications. This section does not apply to sales and advertising literature specified in subsection (a), or statements, reports or any other information referenced in subsection (b), which relate to a federal covered security, a federal covered investment adviser, or a security or transaction exempted by RSA 421-B:2-201, RSA 421-B:2-202, or RSA 421-B:2-203 except as required pursuant to RSA 421-B:2-201(7).

421-B:5-505 Misleading Filings. It is unlawful for a person to make or cause to be made, in a record that is used in an action or proceeding or filed under this chapter, a statement that, at the time and in the light of the circumstances under which it is made, is false or misleading in a material respect, or, in connection with the statement, to omit to state a material fact necessary to make the statement made, in the light of the circumstances under which it was made, not false or misleading.

421-B:5-506 Misrepresentations Concerning Registration or Exemption. The filing of an application for registration, a registration statement, a notice filing under this chapter, the registration of a person, the notice filing by a person, or the registration of a security under this chapter does not constitute a finding by the secretary of state that a record filed under this chapter is true, complete, and not misleading. The filing or registration or the availability of an exemption, exception, preemption, or exclusion for a security or a transaction does not mean that the secretary of state has passed upon the merits or qualifications of, or recommended or given approval to, a person, security, or transaction. It is unlawful to make, or cause to be made, to a purchaser, customer, client, or prospective customer or client a representation inconsistent with this section.

421-B:5-507 Qualified Immunity. A broker-dealer, agent, investment adviser, federal covered investment adviser, or investment adviser representative is not liable to another broker-dealer, agent, investment adviser, federal covered investment adviser, or investment adviser representative for defamation relating to a statement that is contained in a record required by the secretary of state, or designee of the secretary of state, the Securities and Exchange Commission, or a self-regulatory organization, unless the person knew, or should have known at the time that the statement was made, that it was false in a material respect or the person acted in reckless disregard of the statement's truth or falsity.

421-B:5-508 Criminal Penalties.

(a) Any person who willfully violates any provisions of RSA 421-B:5-501(a) or RSA 421-B:5-502(a) or a cease and desist order or injunction issued pursuant to RSA 421-B:6-603 or RSA 421-B:6-604, or who violates RSA 421-B:5-505 knowing that the statement was false or misleading in any material respect, shall be guilty of a class B felony. Each of the acts specified shall constitute a separate offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense.

(b) Any person who willfully violates RSA 421-B:4-401(a), RSA 421-B:4-402(a), RSA 421-B:4-403(a), RSA 421-B:3-301(a), or RSA 421-B:5-506 shall be guilty of a misdemeanor. Each of the acts specified shall constitute a separate offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense. For any subsequent offense, any person shall be guilty of a class B felony.

(c) Nothing in this chapter limits the power of the state to punish any person for any conduct which constitutes a crime by statute.

421-B:5-509 Civil Liability.

(a) Securities Litigation Uniform Standards Act. Enforcement of civil liability under this section is subject to the Securities Litigation Uniform Standards Act of 1998.

(b) Liability of seller to purchaser. A person is liable to the purchaser if the person sells a security in violation of RSA 421-B:3-301 or, by means of an untrue statement of a material fact or an omission to state a material fact necessary in order to make the statement made, in light of the circumstances under which it is made, not misleading, the purchaser not knowing the untruth or omission and the seller not sustaining the burden of proof that the seller did not know and, in the exercise of reasonable care, could not have known of the untruth or omission. An action under this subsection (b) is governed by the following:

(1) The purchaser may maintain an action to recover the consideration paid for the security, less the amount of any income received on the security, and interest at the legal rate of interest from the date of the purchase, costs, and reasonable attorneys' fees determined by the court, upon the tender of the security, or for actual damages as provided in subsection (b)(3).

(2) The tender referred to in subsection (b)(1) may be made any time before entry of judgment. Tender requires only notice in a record of ownership of the security and willingness to exchange the security for the amount specified. A purchaser that no longer owns the security may recover actual damages as provided in subsection (3).

(3) Actual damages in an action arising under subsection (b) are the amount that would be recoverable upon a tender less the value of the security when the purchaser disposed of it, and interest at the legal rate of interest from the date of the purchase, costs, and reasonable attorneys' fees determined by the court.

(c) Liability of purchaser to seller. A person is liable to the seller if the person buys a security by means of an untrue statement of a material fact or omission to state a material fact necessary in order to make the statement made, in light of the circumstances under which it is made, not misleading, the seller not knowing of the untruth or omission, and the purchaser not sustaining the burden of proof that the purchaser did not know, and in the exercise of reasonable care, could not have known of the untruth or omission. An action under subsection (c) is governed by the following:

(1) The seller may maintain an action to recover the security, and any income received on the security, costs, and reasonable attorneys' fees determined by the court, upon the tender of the purchase price, or for actual damages as provided in subsection (c) 3).

(2) The tender referred to in subsection (c)(1) may be made any time before entry of judgment. Tender requires only notice in a record of the present ability to pay the amount tendered and willingness to take delivery of the security for the amount specified. If the purchaser no longer owns the security, the seller may recover actual damages as provided in subsection (c)(3).

(3) Actual damages in an action arising under subsection (c) are the difference between the price at which the security was sold and the value the security would have had at the time of the sale in the absence of the purchaser's conduct causing liability, and interest at the legal rate of interest from the date of the sale of the security, costs, and reasonable attorneys' fees determined by the court.

(d) Liability of unregistered broker-dealer and agent. A person acting as a broker-dealer or agent that sells or buys a security in violation of RSA 421-B:4-401(a), RSA 421-B:4-402(a), or RSA 421-B:5-506 is liable to the customer. The customer, if a purchaser, may maintain an action for recovery of actual damages as specified in subsections (b)(1) through (c)(3), or, if a seller, for a remedy as specified in subsections (c)(1) through (c)(3).

(e) Liability of unregistered investment adviser and investment adviser representative. A person acting as an investment adviser or investment adviser representative that provides investment advice for compensation in violation of RSA 421-B:4-403(a), RSA 421-B:4-404(a), or RSA 421-B:5-506 is liable to the client. The client may maintain an action to recover the consideration paid for the advice, interest at the legal rate of interest from the date of payment, costs, and reasonable attorneys' fees determined by the court.

(f) Liability for investment advice. A person that receives directly or indirectly any consideration for providing investment advice to another person and that employs a device, scheme, or artifice to defraud the other person or engages in an act, practice, or course of business that operates or would operate as a fraud or deceit on the other person, is liable to the other person. An action under subsection (f) is governed by the following:

(1) The person defrauded may maintain an action to recover the consideration paid for the advice and the amount of any actual damages caused by the fraudulent conduct, interest at the legal rate of interest from the date of the fraudulent conduct, costs, and reasonable attorneys' fees determined by the court, less the amount of any income received as a result of the fraudulent conduct.

(2) This subsection does not apply to a broker-dealer or its agents if the investment advice provided is solely incidental to transacting business as a broker-dealer and no special compensation is received for the investment advice.

(g) Joint and several liability. The following persons are liable jointly and severally with and to the same extent as persons liable under subsections (b) through (f):

(1) a person that directly or indirectly controls a person liable under subsections (b) through (f), unless the controlling person sustains the burden of proof that the person did not know, and in the exercise of reasonable care could not have known, of the existence of conduct by reason of which the liability is alleged to exist.

(2) an individual who is a managing partner, executive officer, or director of a person liable under subsections (b) through (f), including an individual having a similar status or performing similar functions, unless the individual sustains the burden of proof that the individual did not know and, in the exercise of reasonable care could not have known, of the existence of conduct by reason of which the liability is alleged to exist;

(3) an individual who is an employee of or associated with a person liable under subsections (b) through (f) and who materially aids the conduct giving rise to the liability, unless the individual sustains the burden of proof that the individual did not know and, in the exercise of reasonable care could not have known, of the existence of conduct by reason of which the liability is alleged to exist; and

(4) a person that is a broker-dealer, agent, investment adviser, or investment adviser representative that materially aids the conduct giving rise to the liability under subsections (b) through (f), unless the person sustains the burden of proof that the person did not know and, in the exercise of reasonable care could not have known, of the existence of conduct by reason of which liability is alleged to exist.

(h) No civil cause of action. No civil cause of action may be based solely upon the failure of a broker-dealer or agent to comply with the registration requirements of RSA 421-B:4-401(a) or RSA 421-B:4-402(a), except a cause of action arising under subsection (d), RSA 421-B:6-603, or RSA 421-B:6-604.

(i) Right of contribution. A person liable under this section has a right of contribution as in cases of contract against any other person liable under this section for the same conduct.

(j) Survival of cause of action. A cause of action under this section survives the death of an individual who might have been a plaintiff or defendant.

(k) Statute of limitations. A person may not obtain relief:

(1) under subsection (b) for violation of RSA 421-B:3-301, or under subsection (d) or (e), unless the action is instituted within 2 years after the violation occurred; or

(2) under subsection (b), other than for violation of RSA 421-B:3-301, or under subsection (c) or (f), unless the action is instituted within the earlier of 2 years after discovery of the facts constituting the violation and 6 years after the violation.

(l) No enforcement of violative contract. A person that has made, or has engaged in the performance of, a contract in violation of this chapter or a rule adopted or order issued under this chapter, or that has acquired a purported right under the contract with knowledge of conduct by reason of which its making or performance was in violation of this chapter, may not base an action on the contract.

(m) No contractual waiver. A condition, stipulation, or provision binding a person purchasing or selling a security or receiving investment advice to waive compliance with this chapter or a rule adopted or order issued under this chapter is void.

(n) Survival of other rights or remedies. The rights and remedies provided by this chapter are in addition to any other rights or remedies that may exist, but this chapter does not create a cause of action not specified in this section or RSA 421-B:4-411(e).

421-B:5-510 Rescission Offers. A purchaser or seller of a security, or a recipient of investment advice may not maintain an action under RSA 421-B:5-509 if:

(1) The purchaser or seller of a security, or recipient of investment advice receives in a record, before the action is instituted:

(A) an offer stating the respect in which liability under RSA 421-B:5-509 may have arisen and fairly advising the purchaser, seller, or recipient of investment advice of that person's rights in connection with the offer, and any financial or other information necessary to correct all material misrepresentations or omissions in the information that was required by this chapter to be furnished to that person at the time of the purchase, sale, or investment advice;

(B) if the basis for relief under this section may have been a violation of RSA 421-B:5-509(b), an offer to repurchase the security for cash, payable on delivery of the security, equal to the consideration paid, and interest at the legal rate of interest from the date of the purchase, less the amount of any income received on the security, or, if the purchaser no longer owns the security, an offer to pay the purchaser upon acceptance of the offer damages in an amount that would be recoverable upon a tender, less the value of the security when the purchaser disposed of it, and interest at the legal rate of interest from the date of the purchase in cash equal to the damages computed in the manner provided in subsection (1);

(C) if the basis for relief under this section may have been a violation of RSA 421-B:5-509(c), an offer to tender the security, on payment by the seller of an amount equal to the purchase price paid, less income received on the security by the purchaser and interest at the legal rate of interest from the date of the sale; or if the purchaser no longer owns the security, an offer to pay the seller upon acceptance of the offer, in cash, damages in the amount of the difference between the price at which the security was purchased and the value the security would have had at the time of the purchase in the absence of the purchaser's conduct that may have caused liability and interest at the legal rate of interest from the date of the sale;

(D) if the basis for relief under this section may have been a violation of RSA 421-B:5-509(d); and if the customer is a purchaser, an offer to pay as specified in subsection (1)(B); or, if the customer is a seller, an offer to tender or to pay as specified in subsection (1)(C);

(v) if the basis for relief under this section may have been a violation of RSA 421-B:5-509(e), an offer to reimburse in cash the consideration paid for the advice and interest at the legal rate of interest from the date of payment; or

(vi) if the basis for relief under this section may have been a violation of RSA 421-B:5-509(f), an offer to reimburse in cash the consideration paid for the advice, the amount of any actual damages that may have been caused by the conduct, and interest at the legal rate of interest from the date of the violation causing the loss;

(2) the offer under subsection (1) states that it must be accepted by the purchaser or seller of a security, or the recipient of investment advice within 30 days after the date of its receipt by the purchaser, seller, or recipient of investment advice or any shorter period, of not less than 3 days, that the secretary of state, by order, specifies;

(3) the offeror has the present ability to pay the amount offered (a firm financing commitment from a reputable investor or other reputable financial source may be included in present ability to pay the amount offered) or, if the purchaser of a security, has the present ability to tender the security under subsection (1);

(4) the offer under subsection (1) is delivered to the purchaser or seller of a security, or the recipient of investment advice, or sent in a manner that ensures receipt by the purchaser, seller, or recipient of investment advice;

(5) the purchaser or seller of a security, or the recipient of investment advice that accepts the offer under subsection (1) in a record within the period specified under subsection (2) is paid in accordance with the terms of the offer; and

(6) The offer under subsection (1) is required to be filed with the secretary of state 20 days before the offering and conform in form and content as prescribed by order of the secretary of state.

ARTICLE 6

Administration and Judicial Review

421-B:6-601 Administration of Chapter.

(a) Administration. The secretary of state shall administer this chapter. The secretary of state may appoint deputy secretaries of state or designees who shall serve as director and who may be classified or unclassified employees whose salary shall be that of or comparable to that of a deputy secretary of state, to administer the provisions of this chapter. The secretary of state may also appoint deputy directors who shall perform such duties as may be assigned by the secretary of state, deputy secretary of state, or designee, or director, to administer the provisions of this chapter. The secretary of state shall, to the greatest extent practical, physically and substantively consolidate the activities and functions related to corporations, limited partnerships, and other business organizations and entities administered by the department of state with the activities and functions related to the registration of securities.

(b) Notwithstanding any other provision of law, the secretary of state shall have exclusive authority and jurisdiction:

(1) To register securities.

(2) To license the following:

(A) Broker-dealers.

(B) Investment advisers.

(C) Agents.

(D) Investment adviser representatives.

(3) Together with the attorney general, to issue, amend, or rescind such orders as are reasonably necessary to carry out the provisions of this chapter.

(4) To bring administrative actions to enforce the securities law.

(5) To investigate and impose penalties for violations of the securities laws, including:

(A) Revoking, suspending, or denying licenses and registrations.

(B) Fines.

(C) Rescission, restitution, or disgorgement.

(6) Together with the attorney general, to bring actions pursuant to RSA 421-B:6-603.

(7) To investigate conduct that would be an unfair or deceptive act or practice under RSA 358-A and that is subject to the jurisdiction of the director of securities regulation pursuant to RSA 358-A:3, I.

(8) To issue letters of censure, caution, warning, or admonition pursuant to audits or inspections under RSA 421-B:4-409(d), investigations under RSA 421-B:6-602, or hearings under RSA 421-B:6-613.

(c) The exclusive authority and jurisdiction to issue licenses pursuant to RSA 421-B:6-601(b)(2) shall not be read to limit the authority of the department of insurance to license sellers of products where licensure is required both by RSA 421-B and Title XXXVII.

(d) The secretary of state shall have all powers specifically granted or reasonably implied in order to perform the substantive responsibilities imposed by this chapter.

(e) Unlawful use of records or information. It is unlawful for the secretary of state or officer, employee, or designee of the secretary of state to use for personal benefit or the benefit of others records or other information obtained by or filed with the secretary of state that are not public under RSA 421-B:6-607(b). The secretary of state may disclose records or information in accordance with RSA 91-A.

(f) No common law privilege or exemption created or diminished. Except for the privilege from defamation in RSA 421-B:4-406(i), this chapter does not create or diminish any privilege or exemption that exists at common law, by statute, rule, or otherwise.

(g) Investor education. The secretary of state may develop and implement investor education initiatives to inform the public about investing in securities, with particular emphasis on the prevention and detection of securities fraud. In developing and implementing these initiatives, the secretary of state may collaborate with public and nonprofit organizations with an interest in investor education. The secretary of state may accept grants or donations from a person that is not affiliated with the securities industry or from a nonprofit organization, regardless of whether or not the organization is affiliated with the securities industry, to develop and implement investor education initiatives. This subsection does not authorize the secretary of state to require participation or monetary contributions of a registrant in an investor education program.

(h) Investor education fund. All moneys collected as an administrative penalty under this chapter and all moneys collected pursuant to RSA 421-B:6-614(a)(6) and (7) shall be credited to an investor education fund to be maintained by the state treasurer. Funds in excess of $725,000 at the end of each fiscal year shall be credited to the general fund. The secretary of state, after deducting administrative costs, shall use moneys credited to that fund to provide information to residents of this state about investments in securities, to help investors and potential investors evaluate their investment decisions, protect themselves from unfair, inequitable, or fraudulent offerings, choose their broker-dealers, agents, or investment advisers more carefully, be alert for false or misleading advertising or other harmful practices, and know their rights as investors. The state treasurer shall pay the expenses of investor education out of the investor education fund consisting of the funds. The investor education fund shall be nonlapsing and continually appropriated for the purpose of paying the expenses of investor education, except that the fund shall at no time exceed $725,000.

421-B:6-602 Investigations and Subpoenas.

(a) Authority to investigate. The secretary of state may:

(1) conduct public or private investigations within or outside of this state that the secretary of state considers necessary or appropriate to determine whether any person has violated, is violating, or is about to violate this chapter or an order issued under this chapter, or to aid in the enforcement of this chapter or in the adoption of forms under this chapter;

(2) require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as the secretary of state determines, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be commenced; and

(3) publish information concerning an action, proceeding, or an investigation under, or a violation of, this chapter or an order issued under this chapter if the secretary of state determines it is necessary or appropriate in the public interest and for the protection of investors.

(4) hold hearings, upon reasonable notice, in respect to any matter arising out of the administration of this chapter;

(5) conduct investigations and hold hearings for the purpose of compiling information with a view to recommending changes in this chapter to the legislature; and

(6) require a broker-dealer, agent, or issuer, subject to the limitations set forth in section 18 of the Securities Act of 1933, to report to the secretary of state all transactions as they pertain to any security. Such reports shall be made within 10 days after demand therefor by the secretary of state and shall be open for public inspection only upon a court order. The secretary of state shall not make known, in any manner not provided by law, any information contained in such reports.

(b) Secretary of state's powers to investigate. For the purpose of an investigation under this chapter, the secretary of state or a designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of a statement, and require the production of any records that the secretary of state considers relevant or material to the investigation.

(c) Procedure and remedies for noncompliance. If a person fails to appear or refuses to testify, file a statement, produce records, or otherwise fails to obey a subpoena as required by the secretary of state under this chapter, the attorney general or the secretary of state may apply to the superior court or a court of another state to enforce compliance. The court may:

(1) hold the person in contempt;

(2) order the person to appear before the attorney general or secretary of state;

(3) order the person to testify about the matter under investigation or in question;

(4) order the production of records;

(5) grant injunctive relief, including restricting or prohibiting the offer or sale of securities or the providing of investment advice;

(6) order a civil penalty of not less than $2,500 for each violation; and

(7) grant any other necessary or appropriate relief.

(d) Assistance to securities regulator of another state. At the request of the securities regulator of another state or a foreign jurisdiction, the secretary of state may provide assistance if the requesting regulator states that it is conducting an investigation to determine whether a person has violated, is violating, or is about to violate a law or rule of the other state or foreign jurisdiction relating to securities matters which the requesting regulator administers or enforces. The secretary of state may provide the assistance by using the authority to investigate and the powers conferred by this section as the secretary of state determines is necessary or appropriate. The assistance may be provided without regard to whether the facts stated in the request would also constitute a violation of this chapter or other law of this state if occurring in this state. In deciding whether to provide the assistance, the secretary of state may consider whether the requesting regulator is permitted and has agreed to provide assistance reciprocally within its state or foreign jurisdiction to the secretary of state on securities matters when requested; whether compliance with the request would violate or prejudice the public policy of this state; and the availability of resources and employees of the secretary of state to carry out the request for assistance.

421-B:6-603 Civil Enforcement.

(a) Civil action instituted by attorney general or secretary of state. If it appears to the attorney general or secretary of state that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or an order issued under this chapter, or that a person has, is, or is about to engage in an act, practice, or course of business that materially aids a violation of this chapter or an order issued under this chapter, the attorney general or the secretary of state may maintain an action in the superior court to enjoin the act, practice, or course of business

and to enforce compliance with this chapter or an order issued under this chapter. The action may be brought in the superior court of the county in which the defendant resides or has his or her principal place of business, or, with the consent of the parties or if the defendant is a nonresident and has no place of business within the state, in the superior court of Merrimack county.

(b) Relief available In an action under this section and upon a proper showing, the court may:

(1) grant or require a permanent or temporary injunction, restraining order, writ of mandamus, or a declaratory judgment;

(2) issue an order for other appropriate or ancillary relief, to include:

(A)(i) an asset freeze, accounting, writ of attachment, writ of general or specific execution, and an appointment of a receiver or conservator, that may be the secretary of state, for the defendant or the defendant's assets.

(ii) Notwithstanding any law to the contrary, the court may grant, upon a proper showing by the secretary of state, a writ of attachment for the state of New Hampshire for the benefit of all aggrieved investors identified by the secretary of state which will have priority over any other attachment or lien granted in connection with a civil action brought by an aggrieved investor asserting a claim based on the same act or omission.

(B) an order to the secretary of state to take charge and control of a defendant's property, including investment accounts and accounts in a depository institution, rents, and profits; to collect debts; and to acquire and dispose of property;

(C) the imposition of a civil penalty up to a maximum of $5,000 for a single violation; an order of rescission, restitution, or disgorgement directed to a person that has engaged in an act, practice, or course of business constituting a violation of this chapter or the predecessor act or an order issued under this chapter or the predecessor act; and

(D) an order for the payment of prejudgment and postjudgment interest; or

(3) granting other relief that the court considers appropriate.

(c) No bond requirement. The attorney general or the secretary of state may not be required to post a bond.

(d) In a proceeding in superior court under this section where the state prevails, the secretary of state and the attorney general shall be entitled to recover all costs and expenses of investigation, and the court shall include the costs in its final judgment.

421-B:6-604 Administrative Enforcement.

(a) Issuance of an order or notice. If the secretary of state determines that a person has engaged, is engaging, or is about to engage, in an act, practice, or course of business constituting a violation of this chapter or an order issued under this chapter, or that a person has, is, or is about to materially aid an act, practice, or course of business constituting a violation of this chapter or an order issued under this chapter, the secretary of state may:

(1) issue an order directing the person to cease and desist from engaging in the act, practice, or course of business or to take other action necessary or appropriate to comply with this chapter; or

(2) issue an order under RSA 421-B:2-204.

(b) Summary process. An order under subsection (a) is effective on the date of issuance. Upon issuance of the order, the secretary of state shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order shall include a statement of the reasons for the order and notice that, within 15 days after receipt of a request in a record from the person, the matter will be scheduled for a hearing. If a person subject to the order does not request a hearing and none is ordered by the secretary of state within 30 days after the date of service of the order, the order becomes final as to that person. If a hearing is requested or ordered, the secretary of state, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend it until final determination. If the person to whom a cease and desist order is issued fails to appear at the hearing after being duly notified, such person shall be deemed in default, and the proceeding may be determined against him or her upon consideration of the cease and desist order, the allegations of which may be deemed to be true.

(c) Procedure for final order. If a hearing is requested or ordered pursuant to subsection (b), a hearing shall be held pursuant to RSA 421-B:6-612. In accordance with RSA 421-B:6-612, the secretary of state shall issue a written decision stating the action to be taken by the department and may set forth findings of fact, conclusions of law, and disposition. The final order may make final, vacate, or modify the order issued under subsection (a).

(d) Civil penalty. In a final order, the secretary of state may impose a civil penalty up to a maximum of $2,500 for a single violation. In addition, every such person who is subject to such civil penalty, upon hearing, and in addition to any other penalty provided for by law, be subject to such suspension, revocation, or denial of any registration or license, or be barred from registration or licensure, including the forfeiture of any application fee.

(e) After notice and hearing, the secretary of state may enter an order of rescission, restitution, or disgorgement directed to a person who has violated this chapter, or a rule or order under this chapter. Rescission, restitution, or disgorgement shall be in addition to any other penalty provided for under this chapter.

(f) The secretary of state may order any person who violates RSA 421-B:5-501, RSA 421-B:5-502, RSA 421-B:3-301, RSA 421-B:3-302, RSA 421-B:5-505 or a cease and desist order issued under this chapter, upon hearing, and in addition to any other penalty provided for by law, to make a written offer to the purchaser of the security to repurchase the security for cash, payable on delivery of the security, equal to the consideration paid for the security together with interest at the legal rate, less the amount of any income received by the purchaser on the security, or if the purchaser no longer owns the security, an offer to pay an amount in cash equal to consideration paid for the security together with interest at the legal rate, less the amount the purchaser received on disposition of the security and less the amount of any income received by the purchaser on the security.

(g) Costs. In a final order, the secretary of state may charge the actual cost of an investigation or proceeding for a violation of this chapter or an order issued under this chapter.

(h) Enforcement by court; further civil penalty. If a person fails to comply with an order under this section, the attorney general or secretary of state may petition a court of competent jurisdiction to enforce the order. The court may not require the attorney general or secretary of state to post a bond. If the court finds, after service and opportunity for hearing, that the person is not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount not less than $5,000 for each violation, and may grant any other relief the court determines is just and proper in the circumstances.

421-B:6-605 Orders, Interpretative Opinions, and Hearings.

(a) Issuance and adoption of forms, orders, and rules. The secretary of state may:
by order, define terms, whether or not used in this chapter, when those definitions are not inconsistent with this chapter.

(b) Findings and cooperation. All actions undertaken by the secretary of state pursuant to this section shall be taken only when the secretary of state finds such action necessary or appropriate to the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this title. In preparing forms, setting standards, and reviewing offerings, the secretary of state may cooperate with the securities regulators of other states, self regulatory organizations, and the Securities and Exchange Commission in order to implement the policy of this chapter in an efficient and effective manner and to achieve maximum uniformity in the form and content of registration statements, applications, reports, and requirements for issuers, broker-dealers, and investment advisors, where practicable.

(c) Financial statements. Subject to section 15(h) of the Securities Exchange Act and Section 222 of the Investment Advisers Act of 1940, the secretary of state may require that a financial statement filed under this chapter be prepared in accordance with generally accepted accounting principles in the United States and comply with other requirements specified by rule or order under this chapter. Subject to section 15(h) of the Securities Exchange Act and section 222 of the Investment Advisors Act of 1940, a rule or order under this chapter may establish the form and content of financial statements required under this chapter.

(d) Interpretative opinions. The secretary of state may provide interpretative opinions or may issue determinations that the secretary of state will not institute an enforcement proceeding or commence an action under this chapter against a specified person for engaging in a specified act, practice, or course of business if the determination is consistent with the purposes intended by this chapter. The secretary of state may assess a reasonable charge for interpretative opinions or determinations that the secretary of state will not commence an action or institute an enforcement proceeding under this chapter.

421-B:6-606 Administrative Files and Opinions.

(a) Public register of filings. The secretary of state shall maintain a register of all applications for registration of securities; registration statements; notice filings, applications for registration of

broker-dealers, agents, investment advisers, and investment adviser representatives; notice filings by federal covered investment advisers that are or have been effective under this chapter or the predecessor act; notices of claims of exemption from registration or notice filing requirements contained in a record; orders issued under this chapter or the predecessor act; and interpretative opinions or no-action determinations issued under this chapter.

(b) Public availability. The secretary of state shall make all forms, interpretative opinions, and orders available to the public.

(c) Copies of public records. Upon request, the secretary of state shall furnish to a person a copy of a record that is a public record pursuant to RSA 91-A or a certification that the public record does not exist. The secretary of state may prescribe a reasonable charge for furnishing the record. A copy of the record certified or a certificate of its nonexistence by the secretary of state is prima facie evidence.

421-B:6-607 Public Records; Confidentiality.

(a) Presumption of public records. Except as otherwise provided in subsection (b), records obtained by the secretary of state or filed under this chapter, including a record contained in or filed with any registration statement, application, notice filing, or report, are public records and are available for public examination.

(b) The information contained in or filed with any registration statement, application, or report may be made available to the public in accordance with RSA 91-A. A person who files a record in connection with a registration statement under RSA 421-B:3-301 and RSA 421-B:3-303 through RSA 421-B:3-305 or a record under RSA 421-B:4-411(d) that contains trade secrets or confidential information may request that the secretary of state treat such record as confidential or privileged and subject to the exemptions from public disclosure under RSA 91-A.

421-B:6-608 Uniformity and Cooperation with Other Agencies.

(a) Interstate cooperation. The secretary of state and the secretary of state's staff shall maintain close relations with the securities and corporate administrators of other states and shall actively participate in the activities and affairs of the North American Security Administrators Association and other organizations so far as it will, in the secretary of state's judgment, enhance the purposes of the securities and corporate laws. The actual and necessary travel and related expenses incurred in attending meetings of said association, their committees, subcommittees, hearings, and other official activities, as well as the general expenses of participation in such associations, shall be a charge on available funds and the appropriation of the office of the secretary of state.

(b) Statutory policy. This chapter shall be so construed as to effectuate its general purpose to make uniform the laws of those states which enact it and to coordinate the interpretation of this chapter with the related federal regulation.

421-B:6-609 Judicial Review. Final orders issued by the secretary of state under this chapter are subject to judicial review in accordance with RSA 541.

421-B:6-610 Jurisdiction.

(a) Sales and offers to sell. RSA 421-B:3-301, RSA 421-B:3-302, RSA 421-B:4-401(a), RSA 421-B:4-402(a), RSA 421-B:4-403(a), RSA 421-B:4-404(a), RSA 421-B:5-501, RSA 421-B:5-506, RSA 421-B:5-509, and RSA 421-B:5-510 apply to a person that sells or offers to sell a security if the offer to sell or the sale is made in this state, or the offer to purchase or the purchase is made and accepted in this state.

(b) Purchases and offers to purchase. RSA 421-B:4-401(a), RSA 421-B:4-402(a), RSA 421-B:4-403(a), RSA 421-B:4-404(a), RSA 421-B:5-501, RSA 421-B:5-506, RSA 421-B:5-509, and RSA 421-B:5-510 apply to a person that purchases or offers to purchase a security if the offer to purchase or the purchase is made in this state, or the offer to sell or the sale is made and accepted in this state.

(c) Offers in this state. For the purpose of this section, an offer to sell or to purchase a security is made in this state, whether or not either party is then present in this state, if the offer:

(1) originates from this state; or

(2) is directed by the offeror to a place in this state and received at the place to which it is directed.

(d) Acceptances in this state. For the purpose of this section, an offer to purchase or to sell is accepted in this state, whether or not either party is then present in this state, if the acceptance:

(1) is communicated to the offeror in this state and the offeree reasonably believes the offeror to be present in this state and the acceptance is received at the place in this state to which it is directed; and

(2) has not previously been communicated to the offeror, orally or in a record, outside this state.

(e) Publications, radio, television, or electronic communication. An offer to sell or to purchase is not made in this state when a publisher circulates or there is circulated on the publisher's behalf in this state a bona fide newspaper or other publication of general, regular, and paid circulation that is not published in this state, or that is published in this state but has had more than two-thirds of its circulation outside this state during the previous 12 months, or when a radio or television program or other electronic communication originating outside this state is received in this state. A radio, television program, or other electronic communication is considered as having originated in this state if either the broadcast studio or the originating source of transmission is located in this state, unless:

(1) the program or communication is syndicated and distributed from outside this state for redistribution to the general public in this state;

(2) the program or communication is supplied by a radio, television, or other electronic network with the electronic signal originating from outside this state for redistribution to the general public in this state;

(3) the program or communication is an electronic communication that originates outside this state and is captured for redistribution to the general public in this state by a community antenna or cable, radio, cable television, or other electronic system; or

(4) the program or communication consists of an electronic communication that originates in this state, but which is not intended for distribution to the general public in this state.

(f) Investment advice and misrepresentations. RSA 421-B:4-403(a), RSA 421-B:4-404(a), RSA 421-B:4-405(a), RSA 421-B:5-502, RSA 421-B:5-505, and RSA 421-B:5-506 apply to a person if an act, practice, or course of business instrumental in effecting prohibited or actionable conduct is engaged in this state, whether or not either party is then present in this state.

421-B:6-611 Service of Process.

(a) Signed consent to service of process. A consent to service of process required by this chapter must be signed and filed in the form required by the secretary of state. A consent appointing the secretary of state the person's agent for service of process in a noncriminal action or proceeding against the person, or the person's successor, or personal representative under this chapter or an order issued by the secretary of state under this chapter after the consent is filed, has the same force and validity as if the service were made personally on the person filing the consent. A person that has filed a consent complying with this subsection in connection with a previous application for registration or notice filing need not file an additional consent.

(b) Conduct constituting appointment of agent for service. If a person, including a nonresident of this state, engages in an act, practice, or course of business prohibited or made actionable by this chapter or an order issued by the secretary of state under this chapter and the person has not filed a consent to service of process under subsection (a), that act, practice, or course of business constitutes the appointment of the secretary of state as the person's agent for service of process in a noncriminal action or proceeding against the person, the person's successor, or personal representative.

(c) Procedure for service of process. Service under subsection (a) or (b) may be made by providing a copy of the process to the office of the secretary of state, but it is not effective unless:

(1) the plaintiff, which may be the secretary of state, promptly sends notice of the service and a copy of the process, return receipt requested, to the defendant or respondent at the address set forth in the consent to service of process or, if a consent to service of process has not been filed, at the last known address, or takes other reasonable steps to give notice; and

(2) the plaintiff files an affidavit of compliance with this subsection in the action or proceeding on or before the return day of the process, if any, or within the time that the court, or the secretary of state, in a proceeding before the secretary of state, allows.

(d) Use in administrative proceedings. Service as provided in subsection (c) may be used in a proceeding before the secretary of state or by the secretary of state in a civil action in which the secretary of state is the moving party.

(e) Provision of opportunity to defend. If the process is served under subsection (c), the court, or the secretary of state in a proceeding before the secretary of state, shall order continuances as are necessary or appropriate to afford the defendant or respondent reasonable opportunity to defend.

421-B:6-612 Severability Clause. If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

421-B:6-613 Hearing Procedures.

(a) Notwithstanding any other law to the contrary, all adjudicatory proceedings pursuant to this chapter shall be conducted by the secretary of state or by a presiding officer appointed by the secretary of state. All hearings conducted pursuant to this chapter shall be governed by the provisions of this section and the provisions of RSA 541-A shall not apply to this chapter.

(b) A document shall be considered filed when it is actually received at the department's office in Concord, New Hampshire, and conforms to the requirements of this chapter.

(c) For the purposes of this section:

(1) All complaints, petitions, motions, responses, and replies shall be signed by the proponent of the document or, if the party appears by a representative, by the representative.

(2) License, registration, and exemption applications shall be signed only by the applicant or properly authorized designee.

(3) The signature on a document filed with the department shall constitute a certification that:

(A) The signer has read the document and is authorized to file it;

(B) There are good grounds to support the representations made therein; and

(C) The document has not been filed for purposes of delay or harassment.

(4) A willful violation of subsection (c), shall, to the extent consistent with the policy of the statutes administered by the secretary of state, be a basis for entering an order adverse to the party committing the violation.

(d) Within a reasonable time after receipt of a complaint:

(1) The department staff or a presiding officer shall review the complaint to determine whether any basis exists for administrative action.

(2) If the complaint is insufficient or no basis exists which warrants administrative action, the complaint shall be dismissed and no hearing shall be scheduled on such complaint.

(3) If the staff determines that sufficient basis exists which warrants administrative action, the staff shall petition the secretary of state for relief.

(4) On any complaint, the staff shall temporarily defer any action and refer the subject matter of the complaint to the appropriate agency if a more complete investigation is necessary. The results of the investigation shall be used to determine the necessity of conducting a hearing by the department.

(e) Within a reasonable time after receipt of a petition:

(1) The secretary of state may issue an order either denying or granting the petition or granting in part and denying in part. If any part of the petition is granted, the respondent shall be informed, as part of the hearing notice, of the respondent's right to a hearing.

(2) A petition may include a request for summary action prior to a hearing.

(3) The staff may, sua sponte, petition for relief whenever it has reasonable grounds to believe that a violation of law has occurred, is occurring, or is about to occur.

(f) Notices of hearings shall:

(1) Be prepared and forwarded in a manner which affords interested persons sufficient opportunity to prepare for and deal with the issues to be considered and decided upon at the hearing.

(2) Given in writing and addressed to the address of record of the person being called in for the hearing. The notice shall be prepared on an official form of the department and shall be sent in a sealed envelope through the United States mail, personal services, or by Federal Express or other similar delivery service.

(g) A notice of hearing shall include:

(1) The time, date, and location of the hearing.

(2) The statute which has allegedly been violated and a statement of the legal authority under which the hearing is to be held.

(3) An explicit description of the alleged violation or a copy of the complaint or petition for relief or both the copy of complaint and petition for relief.

(h) Each hearing shall be set for a date as soon as practicable after the complaint has been received and reviewed. The hearing shall be scheduled to allow sufficient and reasonable time for the preparation of the case by both the department and interested parties.

(i) A request for continuance of a hearing shall be made in writing and received by the department, absent exigent circumstances, at least 5 working days prior to the hearing. Exigent circumstances include:

(1) Absence from the jurisdiction;

(2) Serious illness;

(3) Hospitalization;

(4) Death of a family member.

(j) The written request or motion for continuance shall contain the following:

(1) The specific reason or reasons for the request; and

(2) Optional dates and times when all interested parties shall be available.

(k) Each presiding officer may, at any stage of the hearing process, withdraw from a case if the presiding officer has or has had a personal or business relationship with any party, witness, or representative that may hinder such presiding officer from being able to arrive at an impartial decision on the issue or issues, or for any other reason that may interfere with the presiding officer's ability to remain impartial.

(l) Parties shall have the right to:

(1) Appear pro se or be represented by an attorney.

(2) Cross-examine witnesses; and

(3) Present evidence and witnesses on their own behalf.

(m) Except as provided as follows, administrative hearings shall be open to the public:

(1) The presiding officer may, on the presiding officer's own motion or at the request of a party, rule that the public be excluded from a hearing if necessary, pursuant to RSA 91-A:3, II, to protect the interests and rights of the parties to the hearing.

(2) In matters involving sensitive issues, a presiding officer may consult with the office of the attorney general for a ruling on the privacy issue.

(3) Members of the press shall be admitted to the hearing whenever the public is permitted. If the press is present at a hearing, the presiding officer shall brief them, off the record, in the presence of all parties, as to the nature and purpose of the hearing.

(4) In the event a party objects to the attendance of persons not involved in the hearing, the presiding officer shall ascertain the reason for such objection and determine whether the reason given justifies closing the hearing to such persons.

(n) Subject to the laws governing the department of state, and within the general scope of his powers, each presiding officer shall have the authority to:

(1) Schedule and hold hearings.

(2) Administer oaths and affirmations.

(3) Issue subpoenas on behalf of the state.

(4) Determine the order of proof in any proceeding.

(5) Receive relevant evidence and rule on offers of proof in hearings.

(6) Take judicial notice of any facts which are of common knowledge and general notoriety.

(7) Take, or cause to be taken, depositions.

(8) Regulate and control the course of an administrative hearing.

(9) Hold conferences for the settlement or simplification of issues, or for obtaining stipulations as to issues of fact or proof by consent of the parties.

(10) Dispose of procedural requests, including adjournments or continuances at the request of the parties or on the presiding officer's own motion.

(11) Interview and examine witnesses and parties as the case may require.

(12) Direct parties to appear at hearings.

(13) Consider and evaluate the facts and evidence on the record in making findings of fact and conclusions of law and dispositions.

(14) Determine credibility or weight of evidence in making findings of fact and conclusions of law.

(15) Render oral and written decisions, reports, or recommendations as authorized by statute.

(16) Take any action in a proceeding necessary to conduct and complete the case, consistent with applicable statutes, and precedents.

(o) During any proceeding, the secretary of state shall, upon motion or upon his own motion, direct all parties to attend an informal conference to aid in the disposition of the proceeding. Such conferences:

(1) May be recorded unless all parties wish to discuss possible settlements off the record. Such recordings shall be part of the record.

(2) Shall be held, in addition to settlement possibilities, to consider:

(A) Possible simplification of the issues.

(B) Possible amendments to the pleadings.

(C) Possible admissions of fact, admissions of documents, or other stipulations which might avoid unnecessary proof.

(D) The identification and possible limitations on the number of witnesses.

(E) Possible changes to the method of proceeding or hearing schedule which would otherwise be applicable.

(F) The distribution of written testimony, if any, and exhibits to the parties.

(G) Possible consolidation of the examination of witnesses by the parties.

(H) Any other matters which might contribute to the prompt, orderly, and fair conduct of the proceeding.

(p) A prehearing conference or other informal conference shall be conducted in person or, with the consent of the parties, shall be conducted by means of electronic communications.

(q) The presiding officer shall cause the administrative hearing to be electronically recorded. Such recording shall be made available, upon written request by a party and upon a fee sufficient to reimburse the full cost of providing the tape, or a true and accurate copy of such tape or tapes. A party may request, in writing, a transcript of the hearing but shall first pay the full costs for such transcription as determined by the secretary of state.

(r) In the event there is a clear dispute of facts between the parties in which credibility of testimony will determine the outcome of the hearing, the presiding officer on his own motion or that of a party, may sequester witnesses until they are called to testify.

(s) In any administrative hearing in which administrative action affecting the rights or privileges of any party may be taken, an oath or affirmation shall be administered by the presiding officer to each witness prior to receiving testimony, provided, however, that if a witness asserts an objection to the taking of an oath for religious or other related reasons, an affirmation shall be administered. Once a witness has been sworn at any hearing, it shall not be necessary to swear the witness again for subsequent testimony on the same day and in the same case. The record of the proceeding shall indicate that a person was recalled to testify and reminded that such person was still under oath or affirmation.

(t) Motions shall be in written form unless presented at the hearing. Written motions shall be included in the record of the proceeding and filed together with the case file. Oral motions shall be recorded in full in any transcript of the proceeding or, at the discretion of the presiding officer, noted in the minutes of the proceeding and submitted in written form within a reasonable time. A presiding officer may rule upon a motion when made or may defer decision until a later time in the hearing, or until after the conclusion of the hearing.

(u) Administrative hearings shall not be bound by common law or statutory rules of evidence, nor by technical or formal rules of procedure. All relevant, material, and reliable evidence shall be admissible. Such evidence may include, but shall not be limited to, depositions, affidavits, official documents, and testimony of witnesses. Provided, however, the presiding officer may, in the presiding officer's discretion, exclude any irrelevant, immaterial, unreliable, or unduly cumulative or repetitious evidence. Applicable statutory and constitutional provisions and immunities requiring exclusion of evidence in civil proceedings shall be recognized, provided, however, that nothing contained herein shall prohibit a party from waiving such party's privilege or immunity.

(v) Within a reasonable time after the hearing, the presiding officer shall issue a written decision stating the action to be taken by the department and may set forth findings of fact, conclusions of law, and disposition. All decisions shall be reached upon the basis of a preponderance of the evidence. The decision of the presiding officer shall be construed as the decision of the secretary of state.

(w) Any party to whom notice has been forwarded pursuant to and in accordance with this section who fails to appear shall have a default judgment rendered against him.

(x) The presiding officer may take judicial notice.

(y) Where the interests of justice will be better served without prejudice to the substantial rights of any party, a presiding officer may sever one case from another or may consolidate 2 or more cases, preserving to all parties the right of appeal from the single or several decisions rendered.

(z) Once a hearing notice has been issued commencing an adjudicatory proceeding, no party shall communicate with the presiding officer or the secretary of state concerning the merits of the case except upon notice to all parties nor shall any party cause another person to make such communications.

(aa) Within 30 days after a final decision, any party may file a motion for reconsideration which shall serve as a petition for rehearing under RSA 541. No distinctions shall be made between the terms "reconsideration" and "rehearing." A motion for reconsideration shall:

(1) Identify each error of law, error of reasoning, or erroneous conclusion contained in the final order which the moving party wishes the secretary of state to reconsider.

(2) Concisely state the correct factual finding, correct reasoning, and correct conclusion being advocated.

(3) Include any memorandum of law the petitioner wishes to submit.

(bb) Within 30 days after a final decision, the presiding officer may reconsider, revise or reverse any final action on the presiding officer's own motion. If reconsideration is based upon the existing record, prior notice shall not be given to the parties. If the presiding officer believes further information or argument should be considered, the parties shall be provided with an appropriate notice and opportunity to be heard before any revision is made in the previous action.

(cc) The filing of a motion for reconsideration shall not operate as a stay of any order or decision, but a motion for stay may be combined with a motion for reconsideration.

421-B:6-614 Fees.

(a) Initial fees and fees for amendments shall be as follows:

(1) Non-refundable registration fee for offers and sales of each class of open end mutual funds required to register under RSA 421-B:301	$1,000
(2) Registration fee prior to offers or sales of securities in this state	2/10 of one percent of the offering value of the securities offered in the registration statement, provided said fee shall not be more than $1,050, plus a $200 non-refundable examination fee
(3) Fee prior to offers and sales of securities in initial public offerings in this state under the Securities Act of 1933, 15 U.S.C. section 77r(b)(1)(A)	$1,000
(4) Non-refundable fee prior to offers or sales of:	
(A) Covered securities of other investment companies under section 18(b)(2) of the Securities Act of 1933	$500
(B) Non-issuer transactions under section 18(b)(4)(A) of the Securities Act of 1933--a one-time filing fee	$500
(5) Fee for a notice filing under RSA 421-B:3-302(c)	$500
(6) A copying and printing charge may be assessed per page for each document	
(7) Non-refundable initial notice filing fee prior to offers or sales of each class of an open end mutual fund under section 18(b)(2) of the Securities Act of 1933	$1,000
(8) Initial notice filing fee prior to offers or sales of covered securities under sections 18(b)(4)(C) and 18(b)(3) of the Securities Act of 1933	2/10 of one percent of the offering value of the securities offered in the registration statement, provided

said fee shall not be more than $1,050, plus a $200 non-refundable initial notice fee

(b) Renewal fees shall be as follows:

(1) Annual notice filing fee for offers or sales of covered securities under sections 18(b)(4)(C) and 18(b)(3) of the Securities Act of 1933 — 2/10 of one percent of the offering value of the securities offered in the registration statement, provided that the fee shall not be more than $1,050

(2) Annual non-refundable notice filing fee for offers and sales of each class of an issuer of open end mutual funds which are covered securities under section 18(b)(2) of the Securities Act of 1933, due on or before May 1 of each year — $1,000

(3) Annual non-refundable registration fee for each class of an issuer of open end mutual funds, due on or before May 1 of each year, if required to register under RSA 421-B:3-301 — $1,000

(4) Annual registration fee for securities offered in this state, due one year from the effective date of registration, and each year thereafter — 2/10 of one percent of the offering value of the securities offered in the registration statement, provided that the fee shall not be more than $1,050

(c) In addition to any other penalties, provisions, or fees prescribed under this chapter, a late filing fee of 1/10 of one percent of the offering value of (1) securities offered in the registration statement, or (2) an offering of federal covered securities, provided that the fee shall not be more than $525, shall be imposed if:

(1) It is requested that the provisions of RSA 421-B:3-303(c)(2) be waived; or

(2) Securities sold in this state are more than registered on the effective application filed with the secretary of state, where the maximum registration fee has not been paid; or

(3) The registration application is amended to increase the amount registered in this state, where the maximum registration fee has not been paid, subsequent to the effectiveness of the registration in this state; or

(4) Federal covered securities sold in this state are more than described in the notice filing made, where the maximum notice filing fee or the total amount of a flat fee has not been paid; or

(5) The notice filing for federal covered securities sold in this state is amended to increase the amount to be sold, subsequent to the date the filing was made in this state.

(d)(1) Any person who offers or sells securities in New Hampshire under (A) RSA 421-B:3-303 or RSA 421-B:3-304, where less than the maximum filing fee has been paid in this state, or (B) a notice filing under section 18(b) of the Securities Act of 1933 where less than the maximum filing fee has been paid in this state shall file a sales report with the secretary of state. The sales

report shall be filed one year from (1) the effective date of the registration or exemption or (2) the date the notice filing under section 18(b) of the Securities Act of 1933 was made with the secretary of state, and a final sales report shall be filed within 60 days of the termination of the offering. The sales report shall indicate the termination date, the total number and amount of sales in this state, and the total number and amount of sales in all jurisdictions. Any person who fails to file a sales report shall pay a penalty of $25 for each day of delinquency; provided, however, that, for good cause shown, the secretary of state may abate all or a portion of the delinquency penalty. Subdivision (d)(1) shall not apply to federal covered securities pursuant to section 18(b)(2) of 18(b)(4)(D) of the Securities Act of 1933 15 U.S.C. section 77r(b)(2) or 77r(b)(4)(D).

(2) Any person who fails to timely file the notice required by RSA 421-B:3-302(c) shall pay a penalty of $500 if the notice filing is delinquent by no more than 90 days or a penalty of $1,000 if the notice filing is delinquent by more than 90 days; provided, however, that if the filing is delinquent by more than one year, the person failing to timely file the required notice may be subject to RSA 421-B:6-603, RSA 421-B:6-604 and RSA 421-B:5-508 for that failure.

ARTICLE 7

Application of Chapter

421-B:7-701 Application of Act to Existing Proceeding and Existing Rights and Duties.

(a) Applicability of predecessor act to pending proceedings and existing rights. The predecessor act exclusively governs all actions or proceedings that are pending on the effective date of this chapter or may be instituted on the basis of conduct occurring before the effective date of this chapter, but a civil action may not be maintained to enforce any liability under the predecessor act unless instituted within any period of limitation that applied when the cause of action accrued or within 5 years after the effective date of this chapter, whichever is earlier.

(b) Continued effectiveness under predecessor act. All effective registrations under the predecessor chapter, all administrative orders relating to the registrations, rules, statements of policy, interpretative opinions, declaratory rulings, no action determinations, and conditions imposed on the registrations under the predecessor act remain in effect while they would have remained in effect if this chapter had not been enacted. They are considered to have been filed, issued, or imposed under this chapter, but are exclusively governed by the predecessor act.

(c) Applicability of predecessor act to offers or sales. The predecessor act exclusively applies to an offer or sale made within one year after the effective date of this chapter pursuant to an offering made in good faith before the effective date of this act on the basis of an exemption available under the predecessor act.

2 Cross Reference; Informational Filing Required. Amend RSA 5-B:4 to read as follows:

5-B:4 Informational Filing Required; Fee. Pooled risk management programs established for the benefit of political subdivisions shall make an informational filing, as defined in RSA 5-B:2, II, with the department and shall pay an annual filing fee of $150. The department may make requests for additional information necessary to exercise regulatory or enforcement authority pursuant to, but not limited to, the hearings procedures under [~~RSA 421-B:26-a~~] ***RSA 421-B:6-613*** over any pooled risk management program formed or affirmed in accordance with this chapter. Pooled workers' compensation and unemployment compensation programs which are regulated by and which report to the department of labor and the department of employment security, under RSA 281-A and RSA 282-A, respectively, shall be exempt from the requirements of this section as long as their operations and reports conform to the laws and rules adopted by those departments.

3 Cross Reference; Authority of the Secretary of State. Amend RSA 5-B:4-a, VI to read as follows:

VI. Whenever it appears to the secretary of state that any person has engaged or is about to engage in any act or practice constituting a violation of this chapter or any rule or order under this chapter the secretary of state shall have the power to issue and cause to be served upon such person an order requiring the person to cease and desist from violations of this chapter. The order shall be calculated to give reasonable notice of the rights of the person to request a hearing on the order and shall state the reasons for the entry of the order. All hearings shall be conducted in accordance with [~~RSA 421-B:26-a~~] ***RSA 421-B:6-613***.

4 Cross Reference; Investor Education Fund. Amend RSA 6:12, I(b)(53) to read as follows:

(53) Moneys [~~received under RSA 421-B:26, I, II and III, which shall be~~] ***that are*** credited to the investor education fund [~~established in RSA 421-B:26, IV~~] ***pursuant to RSA 421-B:6-601(h)***.

5 Cross Reference; Incorporators. Amend RSA 293-A:2.01 to read as follows:

293-A:2.01 Incorporators. One or more persons may act as the incorporator or incorporators of a corporation by delivering articles of incorporation [~~and the certificate required by RSA 421-B:11, II(a) a~~] to the secretary of state for filing.

6 Cross Reference; Articles of Domestication. Amend RSA 293-A:9.22(c) to read as follows:

(c) The articles of domestication with articles of incorporation [~~and the certificate required by RSA 421-B:11, II(a)~~] shall be delivered to the secretary of state for filing, and shall take effect at the effective time provided in RSA 293-A:1.23.

7 Cross Reference; Articles of Merger or Share Exchange. Amend RSA 293-A:11.06(a)(3) to read as follows:

(3) if the articles of incorporation of the survivor of a merger are amended, the amendments to the survivor's articles of incorporation, or if a new corporation is created as a result of a merger, the articles of incorporation of the new corporation [~~and the certificate required by RSA 421-B:11, II(a)~~];

8 Cross Reference; Procedure for and Effect of Administrative Dissolution. Amend RSA 293-A:14.21(f) to read as follows:

(f) In connection with the issuance of a notice of dissolution by the secretary of state under RSA 293-A:14.21(a) on grounds set forth in RSA 293-A:14.20(a)(6), a hearing shall be set for 10 business days after the issuance of the notice of dissolution. All hearings shall be conducted in accordance with [~~RSA 421-B:26-a~~] ***RSA 421-B:6-613***. If the person whom the notice is issued fails to appear for the hearing, then such person shall be deemed in default, and the dissolution shall become final.

9 Cross Reference; Late Reinstatement. Amend RSA 293-A:14.22-a(g) to read as follows:

(g) Except for provisions and requirements set forth in this section, late reinstatement hearings shall be subject to [~~RSA 421-B:26-a~~] ***RSA 421-B:6-613***.

10 Cross Reference; Inspection of Records by Shareholders. Amend RSA 293-A:16.02(e) to read as follows:

(e) For purposes of RSA 293-A:16.02(d), if a shareholder makes a written demand on a corporation for an alphabetical list of the names and addresses of its shareholders who are entitled to notice of a shareholders' meeting for the purpose of communicating with other shareholders relating to an item of business listed in the notice, and the corporation refuses to allow inspection and copying of the list, the shareholder may petition the secretary of state to issue an order requiring the corporation to allow the shareholder to inspect and copy the list of shareholders pursuant to the provisions of [~~RSA 421-B:26-a~~] ***RSA 421-B:6-613***. The secretary of state, or his or her designee, shall confirm that (i) the petitioner is a shareholder of the corporation, (ii) the corporation has given a notice of shareholder meeting to its shareholders, and (iii) the shareholder made a written demand to inspect and copy the shareholder list for the purpose of communicating with the shareholders regarding an item of business set forth in the notice. If the secretary of state confirms such information, he or she shall schedule a hearing no later than 10 business days after making such confirmation. The secretary of state shall promptly give the petitioner and the corporation notice of the hearing. At such hearing, the presiding officer shall determine whether the petitioner has made the demand for the inspection and copying of the shareholder list for a proper purpose and in good faith and in accordance with RSA 293-A:16.02(d) and, if so, he or she shall order the corporation to comply with the law. If the corporation fails to attend the hearing, the corporation shall be deemed to be in default, and the presiding officer may issue an order requiring it to allow the petitioner to inspect and copy the shareholder list. Such order in the case of default shall be deemed final and may be enforced by the secretary of state pursuant to RSA 293-A:16.02(f).

11 Cross Reference; Certificate of Formation; General Requirements. Amend RSA 304-C:31, I to read as follows:

I. In order to form a domestic limited liability company, one or more authorized persons shall deliver a certificate of formation [~~and the certificate required by RSA 421-B:11, II(a)~~] to the secretary of state for filing.

12 Cross Reference; Late Reinstatements. Amend RSA 304-C:145, VII to read as follows:

VII. Except for provisions and requirements set forth in this section, late reinstatement hearings shall be subject to [~~RSA 421-B:26-a~~] ***RSA 421-B:6-613***.

13 Cross Reference; Statutory Conversions of Other Business Entities to Limited Liability Companies. Amend RSA 304-C:149, IV to read as follows:

IV. A converting business entity making a statutory conversion under this section shall file with the secretary of state:

(a) A certificate of statutory conversion to a limited liability company; ***and***

(b) A certificate of formation that complies with the requirements of RSA 304-C:31[~~; and~~

~~(c) The certificate required by RSA 421-B:11, II~~].

14 Cross Reference; Requirement of Registration by a Foreign Limited Liability Companies. Amend the introductory paragraph of RSA 304-C:175 to read as follows:

Before doing business in New Hampshire, a foreign limited liability company shall register with the secretary of state. In order to register, a foreign limited liability company shall pay the fee required by RSA 304-C:191, II(h) and shall file [~~the certificate required by RSA 421-B:11, II(a) and~~] an application for registration as a foreign limited liability company, setting forth:

15 Cross Reference; Membership. Amend RSA 403-F:9, IV to read as follows:

IV. A membership interest in a mutual insurance holding company shall not constitute a security, as defined [~~by RSA 421-B:2~~] ***in RSA 421-B:1-102(53)***.

16 Cross Reference; Filing with Secretary of State. Amend RSA 405:65 to read as follows:

405:65 Filing with Secretary of State. An insurer transferring its domicile to this state shall file the following documents with the secretary of state, together with applicable filing fees:

I. Restated articles of incorporation or equivalent, as amended pursuant to RSA 405:62; ***and***

II. Executed order of the commissioner approving the redomestication[~~; and~~

~~III. The statement set forth in RSA 421-B:11, II~~].

17 Cross Reference; Definition; Variable Contract. Amend RSA 408:27 to read as follows:

408:27 Definition. A "variable contract" shall mean any life insurance policy or annuity contract issued by an insurance company which provides that the dollar amount of benefits or other contractual payments thereunder may vary according to the investment experience of any separate account or accounts maintained by the insurance company in which amounts received in connection with such policies or contracts have been placed. Variable contracts shall not be deemed subject to [~~RSA 421~~] ***RSA 421-B***.

18 Cross Reference; Definition; Funding Agreement. Amend RSA 408-E:2, I to read as follows:

I. "Funding agreement" means an agreement issued by a life insurance company, not based on mortality or morbidity, providing for the accumulation of funds by the insurer for the purpose of making one or more payments to the holder, where the initial premium paid is $1,000,000 or more. Except as provided in this chapter, a "funding agreement'' does not constitute life insurance or an annuity and does not constitute a security[~~,~~] as defined by [~~RSA 421-B:2, XX~~] ***in RSA 421-B:1-102(53)***.

19 Cross Reference; Authorization for Interception of Telecommunications or Oral Communications. Amend RSA 570-A:7 to read as follows:

570-A:7 Authorization for Interception of Telecommunications or Oral Communications. The attorney general, deputy attorney general, or a county attorney, upon the written approval of the attorney general or deputy attorney general, may apply to a judge of competent jurisdiction for an order authorizing or approving the interception of telecommunications or oral communications, and such judge may grant, in conformity with RSA 570-A:9, an order authorizing or approving the interception of telecommunications or oral communications by investigative or law enforcement officers having responsibility for the investigation of the offenses as to which the application is made, when such interception may provide, or has provided, evidence of the commission of organized crime, as defined in RSA 570-A:1, XI, or evidence of the commission of the offenses of homicide, kidnapping, gambling, theft as defined in RSA 637, corrupt practices as defined in RSA 640, child pornography under RSA 649-A, computer pornography and child exploitation under RSA 649-B, criminal conduct in violation of the securities law, as defined in [~~RSA 421-B:3, 421-B:4, 421-B:5, 421-B:19, and 421-B:24~~] ***RSA 421-B:5-501, RSA 421-B:5-502, RSA 421-B:5-502-A, RSA 421-B:5-505, RSA 421-B:5-506, and RSA 421-B-5-508***, criminal conduct in violation of the security takeover disclosure laws, as defined in RSA 421-A:3, 421-A:7, 421-A:8, 421-A:11, and 421-A:13, robbery as defined in RSA 636:1, arson as defined in RSA 634:1, hindering apprehension or prosecution as defined in RSA 642:3, tampering with witnesses and informants as defined in RSA 641:5, aggravated felonious sexual assault as defined in RSA 632-A:2, felonious sexual assault as defined in RSA 632-A:3, escape as defined in RSA 642:6, bail jumping as defined in RSA 642:8, insurance fraud as defined in RSA 638:20, dealing in narcotic drugs, marijuana, or other dangerous drugs, hazardous waste violations under RSA 147-A:4, I, or any conspiracy to commit any of the foregoing offenses.

20 Cross Reference; Loan of Securities. Amend RSA 387:24-b, VI to read as follows:

VI. Every brokerage firm receiving a loan of securities under this section shall be registered, and every agent soliciting such a loan of securities shall be licensed, with the [~~securities division of the New Hampshire insurance department~~] ***bureau of securities regulation of the secretary of state*** pursuant to [~~RSA 421~~] ***RSA 421-B***.

21 Cross Reference; Loan of Securities. Amend RSA 394-B:23, VI to read as follows:

VI. Every brokerage firm receiving a loan of securities under this section shall be registered, and every agent soliciting such a loan of securities shall be licensed, with the [~~securities division of the New Hampshire insurance department~~] ***bureau of securities regulation of the secretary of state*** pursuant to [~~RSA 421~~] ***RSA 421-B***.

22 Repeal. RSA 304-B:50, III, relative to application for registration of foreign limited liability partnerships, is repealed.

23 Contingency. If SB 188 of the 2015 legislative session becomes law, then sections 21 and 22 of this act shall not take effect. If SB 188 of the 2015 legislative session does not become law, then sections 21 and 22 of this act shall take effect on January 1, 2016.

24 Effective Date. This act shall take effect January 1, 2016.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SENATE MESSAGE
REQUESTS CONCURRENCE WITH AMENDMENT

HB 472, relative to the parole board and parole board procedures. (Amendment printed SJ 5-28-15)

Rep. Tholl moved that the House concur and spoke in favor.

Motion adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Andrew Christie moved that **SB 125-FN,** relative to certification and licensure for mold assessment or remediation services, be removed from the table.

On a division vote, 234 members having voted in the affirmative and 118 in the negative, the motion was adopted.

CONSIDERATION OF SB 125-FN

The question being adoption of the committee report of Ought to Pass with Amendment (1470h).

Amendment (1470h)

Amend the bill by replacing all after the enacting clause with the following:

1 Findings. The general court finds that mold in a residential structure can constitute a significant health threat for the inhabitants. Homeowners who hire a professional to assess a mold problem or remediate such mold problem need assurance that the job will be done correctly. Failure to remediate a mold problem correctly not only is a waste of the homeowner's money but may also result in serious health issues if the mold is not removed correctly or at all. This consumer protection proposal gives homeowners a method to protect their health and the health of their families by assuring a level of competence in those they hire to assess or remediate a mold problem.

2 New Chapter; Mold Remediation. Amend RSA by inserting after chapter 310-B the following new chapter:

CHAPTER 310-C
MOLD ASSESSMENT OR REMEDIATION

310-C:1 Definitions. In this chapter:

I. "Administrator" means the administrator of the joint board established in RSA 310-A:1-a.

II. "Mold assessment" means:

(a) An inspection, investigation, or survey of a dwelling or other structure to provide information to the owner regarding presence, identification, or evaluation of mold;

(b) The development of a mold remediation specification or protocol; or

(c) The collection of a mold sample for analysis.

III. "Mold assessment license" means a license obtained from the administrator that permits an individual to assess mold problems in a residential setting for a fee.

IV. "Mold remediation" means the removal, cleaning, sanitizing, demolition, or treatment of mold or mold-contaminated matter, live or dead, in a specific location after a mold assessment.

V. "Mold remediation license" means a license obtained from the administrator that permits an individual to remediate mold problems in a residential setting for a fee.

VI. "Third party certification" means a certification approved by a national non-profit organization whose programs are accredited by ANSI (American National Standards Institute), CESB (Council of Engineering and Scientific Specialty Boards), NCCA (National Commission for Certifying Agencies), or any other accrediting body that operates in compliance with the ISO (International Organization for Standardization) standard for accrediting organizations. Certifications are credentials of industry knowledge granted to individuals by a certification body for a limited time. The individual shall not own the designation; the designation shall be owned by the certifying body. Certification holders shall meet certain requirements set by third party certification organizations in order to be recertified.

310-C:2 Mold Remediation Certification.

I. No person shall perform residential mold assessment or remediation services for remuneration unless that person possesses a valid national third party certification for mold assessment or mold remediation and a valid mold assessment or mold remediation license for the state of New Hampshire or such person is working under the direct supervision of a person possessing a valid national third party certification for mold remediation and a valid mold remediation license for the state of New Hampshire.

II. The administrator shall establish a license for persons engaging in mold assessment and a license for persons engaging in mold remediation. The administrator shall establish a fee for licensure in order to cover the cost of administering the licensing program.

III. All licenses shall expire on the last day of the month of the licensee's birth in the second year following the year of issuance. The administrator shall cause notification of the impending license expiration to be sent to each licensee at least one month prior to the expiration of the license. If the renewal fee is not submitted within 12 months after the expiration date, the licensee's name shall be removed from current status, and application for reinstatement shall be required to return to current status. The administrator shall charge a reinstatement fee consisting of 20 percent of the renewal fee.

IV. Any person who offers mold assessment or mold remediation services for a fee but does not comply with this chapter or rules adopted under this chapter shall be guilty of a violation and fined $150.

V. Any professional hired for remuneration by a homeowner, in which the primary work contracted for is neither mold assessment nor mold remediation, shall be exempt from this chapter.

310-C:3 Rulemaking. The administrator of the joint board shall adopt rules pursuant to RSA 541-A, relative to:

I. The application procedure for a license to practice under this chapter;

II. How a license to practice under this chapter shall be renewed or reinstated; and

III. The establishment of all fees required under this chapter.

3 New Paragraph; Administration of the Joint Board. Amend RSA 310-A:1-a by inserting after paragraph IV the following new paragraph:

V. The regulation and licensure for mold assessment and mold remediation services under RSA 310-C.

4 Effective Date. This act shall take effect January 1, 2016.

Rep. Andrew Christie spoke against.

Committee amendment failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Andrew Christie offered floor amendment (1931h).

Floor Amendment (1931h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to certification for mold assessment services.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Mold Assessment; Certification Required. Amend RSA 310-A by inserting after section 189-a the following new section:

310-A:189-b Mold Assessment Certification Required.

I. For the purposes of this section:

(a) "Mold assessment" means:

(1) An inspection, investigation, or survey of a dwelling or other structure to provide information to the owner regarding presence, identification, or evaluation of mold;

(2) The development of a mold remediation specification or protocol; or

(3) The collection of a mold sample for analysis.

(b) "Third party certification" means a certification approved by a national non-profit organization whose programs are accredited by ANSI (American National Standards Institute), CESB (Council of Engineering and Scientific Specialty Boards), NCCA (National Commission for Certifying Agencies), or any other accrediting body that operates in compliance with the ISO (International Organization for Standardization) standard for accrediting organizations. Certifications are credentials of industry knowledge granted to individuals by a certification body for a limited time.

II. No person shall perform residential mold assessment services for remuneration unless that person possesses a valid national third party certification for mold assessment. The individual shall not own the designation; the designation shall be owned by the certifying body. Certification holders shall meet certain requirements set by third party certification organizations in order to be recertified.

III. The board of home inspectors shall inform the public through their website that persons engaged in residential mold assessment shall be certified under paragraph II and shall provide links to the websites of the certifying organizations.

IV. Any professional hired for remuneration by a homeowner, in which the primary work contracted for is not mold assessment, shall be exempt from this section.

V. Any person who offers mold assessment services for a fee but does not comply with this chapter shall be guilty of a violation if a natural person or guilty of a class B misdemeanor if any other person.

2 Effective Date. This act shall take effect January 1, 2016.

AMENDED ANALYSIS

This bill requires persons providing residential mold assessment services for mold contamination in residential dwellings be certified by certain professional organizations and requires the board of home inspectors to inform the public that mold assessment professionals are required to be certified.

Rep. Andrew Christie spoke in favor.

On a division vote, 229 members having voted in the affirmative and 125 in the negative, floor amendment (1931h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 230 - NAYS 128

YEAS - 230

BELKNAP

Fields, Dennis	Gallagher, Brian	Luther, Robert	Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Brown, Pamela
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Flanagan, Jack
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Guerette, C. Lee
Haefner, Robert
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Jeudy, Jean
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
O'Brien, Michael
O'Neil, William
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Snow, Kendall
Takesian, Charlene
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Karrick, David
Kenison, Linda
Kidder, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Emerick, J. Tracy
Fesh, Robert
Francese, Paula
Friel, William
Gordon, Pamela
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sherman, Thomas
Simpson, Alexis
Sytek, John
Ward, Gerald
Webb, James
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Horrigan, Timothy
Kaen, Naida
Leeman, Don
Mullen, John
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 128

BELKNAP

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Fraser, Valerie
Howard, Jr., Raymond	Hurt, George	Spanos, Peter	Sylvia, Michael
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Wright, Ted

CHESHIRE

McConnell, Jim	Sterling, Franklin		

COOS

Rappaport, Laurence	Rideout, Leon	Theberge, Robert	

GRAFTON

Brown, Duane	Darrow, Stephen	Hull, Robert	Ingbretson, Paul
Johnson, Eric			

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christie, Rick	Coffey, James	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Fromuth, Bart	Gidge, Kenneth	Gorman, Mary
Gould, Linda	Goulette, William	Halstead, Carolyn	Hansen, Peter
Hogan, Edith	Hopper, Gary	Lachance, Joseph	Marston, Dick
McClarren, Donald	McLean, Mark	Murphy, Keith	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell	Parison, James
Pierce, David	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Schleien, Eric	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Sweeney, Shawn
Twombly, Timothy			

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Parent, Jason	Seaworth, Brian	Walsh, Thomas	Wheeler, Deborah

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe
Ferrante, Beverly	Gannon, William	Gordon, Richard	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Lundgren, David	Manning, John
Osborne, Jason	Schroadter, Adam	Spillane, James	Sweeney, Joe
Tamburello, Daniel	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Welch, David	

STRAFFORD

Cheney, Catherine	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Pitre, Joseph	Sprague, Dale
Turcotte, Leonard			

SULLIVAN

Bridge, Ernest	Laware, Thomas	Rollins, Skip

and the committee report was adopted and ordered to third reading.

REGULAR CALENDAR CONT'D

SB 29-FN, relative to fines for motor vehicle offenses. **OUGHT TO PASS WITH AMENDMENT.** Rep. Arthur E. Barnes for Criminal Justice and Public Safety. As amended, this bill makes various changes to fines for motor vehicle offenses that currently can only be resolved in court. In testimony the committee heard that approximately 80% of offenders pay fines by mail if it is an option. This bill adds several offenses to the list that have a pay by mail option, thus potentially saving people money by not losing time at work. The new fine schedule is based on the past paid fines for that offense. A person can still see a judge by pleading "not guilty" and law enforcement can still issue a "must appear" if its considered egregious. This bill was a request of the department of safety. The committee amendment establishes the same fine for 1-5 miles above the speed limit for 65 mph & 70 mph speed limit areas. Vote 15-0.

Amendment (1889h)

Amend RSA 265:60, VI as inserted by section 8 of the bill by replacing it with the following:

VI. The fines for violations of subparagraph II(e) shall be as follows:

Miles above the 65 mph limit:

1-5	$65
6-10	100
11-15	150
16-20	250
~~[21-25~~	~~350~~
~~26+~~	~~Must appear]~~
21+	***350***
Miles above the 70 mph limit:	
1-5	***$65***
6-10	***100***
11-15	***200***
16-20	***300***
21+	***400***

The fines listed in this paragraph shall be plus penalty assessment.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 39, relative to recounts on questions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James P. Gray for the Majority of Election Law. This bill adds a requirement to RSA 40:4-c to notify the first-named voter and other known interested parties 3 days prior to the day appointed for the recount of a question. Additionally, it requires that the notice shall be posted in 2 public places for at least 24 hours prior to the recount. The committee amendment changes RSA 659:13, I(c)(2) to allow pictures of voters who do not have the required identification to be color or black and white. Vote 11-7.

Rep. William A. Pearson for the Minority of Election Law. It is not SB 39 that the minority disagrees with but, instead, the non-germane amendment that has been attached to it. The committee was told that the amendment would provide an avenue to purchase the equipment required to catalogue voters photographically at every polling location; it does not. Now the committee is being told that funds from the Help America Vote Act (HAVA) will be available and appropriated in HB 2; they are not. Even if such were the case, these are federal monies entrusted to the secretary of state with the mandate that he or she must use it to "improve elections." While the house may request that HAVA money be used to fund cameras at the polls, the ultimate decision will rest with the likely federal audit that will ensue. Thus, SB 39 becomes just an attempt to remedy a bad law from a prior legislature and hangs New Hampshire's moderators out to dry. It is for these reasons that the minority finds it Inexpedient to Legislate.

Majority Amendment (1303h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to recounts on questions and relative to photographs of voters not presenting identification.

Amend the bill by replacing all after section 1 with the following:

2 Obtaining a Ballot; Proof of Identity; Photograph. Amend RSA 659:13, I(c)(2) to read as follows:

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. The photograph shall be 2 inches by 2 inches, or larger, and ***may*** be in color ***or in black and white***. The moderator or his or her designee who took the photograph and the voter shall then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera ***if applicable*** in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

3 Repeal. RSA 659:13, V(b), relative to waiver of photograph requirement, is repealed.

4 Effective Date.

I. Sections 2 and 3 of this act shall take effect September 1, 2015 at 12:03 a.m.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires notice to voters requesting a recount on certain local questions and public posting of notice of the time and place of the recount. This bill also eliminates the requirement that photographs taken by the moderator of voters who do not present identification be in color.

On a division vote, 202 members having voted in the affirmative and 133 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Pearson spoke against.

Rep. Hoelzel spoke in favor.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 206 - NAYS 149

YEAS - 206

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Goulette, William	Haefner, Robert	Halstead, Carolyn	Hansen, Peter

Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ohm, Bill
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
True, Chris
Tucker, Pamela
Vose, Michael
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 149

BELKNAP

Fraser, Valerie

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Townsend, Charles	White, Andrew

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Bouldin, Amanda	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda
Edwards, Elizabeth	Forest, Armand	Freitas, Mary	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee	Harvey, Suzanne
Heath, Mary	Jack, Martin	Jeudy, Jean	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael
O'Neil, William	Ober, Russell	Palmer, Barry	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Snow, Kendall	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Karrick, David
Kenison, Linda	Kidder, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Tasker, Kyle
Ward, Gerald			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Verschueren, James	Wall, Janet

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

SB 179, relative to eligibility to vote. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James P. Gray for the Majority of Election Law. This bill, as amended, is the result of many hearings and meetings with the public, the secretary of state and his deputy, and groups concerned with the election process. Everyone believes that each citizen should have an equal right to vote and have his vote count equally, and that each candidate should have an equal right to be elected through a fair voting process. The purpose of this bill is to better serve those goals, and to ensure our elections are as open and fair as possible. Increasingly, allegations are being made that our

voter registration laws are not sufficient to protect the integrity of the vote, and SB 179 resulted from a serious look at our RSA's. In recent years, the secretary of state has undertaken measures to investigate these claims, to try to ensure that each person that votes in New Hampshire is entitled to vote in New Hampshire. During the last presidential election, persons without identification, or known to election officials, were asked to sign affidavits affirming their ability to vote in N. H. The secretary of state then followed up on each of these affidavits with a letter to the address given. 1,786 such letters were returned as undeliverable. The attorney general now has the task of trying to locate these individuals to ascertain the legitimacy of their votes. This is an example of the efforts our state has made to ensure the integrity of our voting. If only a small percentage of these undeliverable letters turn out to represent illegitimate votes, that is still too many. The perception of voter fraud is real in New Hampshire, and this diminishes the importance of voting to our citizens. Indeed, the election law committee heard stories of constituents who did not feel their vote counted for much in their own home towns, their vote being nullified by those they felt were not N. H. residents. We heard stories of campaign workers coming to our state for a few weeks, voting on election day, and leaving for their home states. Our own secretary of state personally encountered non-N. H. residents voting in N. H., but, under the wording of our current statutes, could not prevent this abuse from taking place. A contributor to this situation is the ambiguity of the word "domicile," as used in our RSA's. "Domicile," the criteria for legal voting, is not well defined in our election laws. It is vague and unenforceable. SB 179 seeks to cure this deficiency by defining "domicile" as "the principal or primary home or place of abode of a person." It is further defined as "that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence there from, including when the person is absent because of military service or temporarily absent as described in RSA 654:2." SB 179 provides guidelines to determine - for the benefit of the voter and the benefit of the election worker - the principal place of abode. Without limitation, such factors are: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax pursuits, eligibility for a resident hunting and fishing license, and a New Hampshire's driver's license. These, and possibly other, factors apply to every person and no one person or class or persons would be treated differently from any other person or class of persons. Further, SB 179 establishes a 30-day domicile requirement for voting in New Hampshire. Guidelines for those moving away from or to New Hampshire, as well as those moving within the state are provided, to ensure that every person who has been domiciled in the state for 30 days will be able to vote. For example, a person moving from one locale in the state to another locale within 30 days of an election, may transfer his or her voting registration to ensure his or her right to vote at the polling place of his new home. Similar provisions are made to protect the voting rights of citizens who move out of state. Also, SB 179 revises the voter registration forms to reflect the substance of this bill. It adds clarity to the language requiring the use of standard forms by reflecting that the state has two voter registration forms: one to be used prior to election day and one to be used on election day at the polling place. SB 179 also removes the paragraph which was struck down by the supreme court in the Guare decision and adds a paragraph which ensures that those who do not meet the 30 day domicile requirement will be able to vote in their previous domicile. Lastly, SB 179 adds a provision to RSA 654:31-a to ensure that the legislature can gain access to statistical data pertaining to registration forms and affidavits. This provision will make sure that individual identities are protected while offering more transparency and the ability of the legislature to make better informed decisions going forward. Vote 9-8.

Rep. Wayne T. Moynihan for the Minority of Election Law. The minority believes that SB 179, even as amended, Inexpedient to Legislate. Without a sufficient reason, SB 179 would impose a durational voter qualification that, according to the "Amended Analysis" appended to the bill, "requires that a voter be a resident of the state for at least 30 days." SB 179 attempts to make "domicile" the same as "residency" contrary to the New Hampshire Constitution. It adds confusing and inaccurate text to voter registration forms, and it makes public certain voter registration and affidavit information, that is now considered confidential. As recently as two weeks ago, the New Hampshire Supreme Court declared that certain 2012 legislative changes to voter registration forms were unconstitutional, because the changes used the terms "residency" and "domicile" interchangeably. This created confusion and inaccuracies, and "unreasonably burdened the fundamental right

to vote in New Hampshire" without justification. The original SB 179 included some of the same unconstitutional language in its provisions. The minority opposed the Bill then as now. The U.S. Supreme Court has declared that a 30 day limit on voter registration prior to an election may be permissible for "administrative reasons," but that residency requirements in excess of that violated the equal protection clause of the United States Constitution. New Hampshire has no administrative or other constitutional reason to justify the exclusion of some voters by imposing a 30 day durational requirement. New Hampshire election officials are able to administratively manage "same day" voter registration. This capacity enables New Hampshire to remain exempt from very costly the requirements of the federal "motor voter" law. This capacity also demonstrates that the state does not require a 30 day cut off for some voters for administrative reasons. Part I, Art. 11 of the NH constitution declares that "every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election...in the...place where he has his domicile." This has been the law for decades. Well trained election officials administer the law well. Anecdotes abound about "voter fraud," "drive by voting," "undeserving voters" and the like. However, the committee received no verified or credible record that NH elections are tainted in such a way. Those angry about "students voting" must recognize that New Hampshire law expressly allows students enrolled at our New Hampshire colleges to declare our state as their domicile while they attend these New Hampshire "institutions of learning." (RSA 654:1 I-a) SB 179, as amended, may still contain unconstitutional provisions, and puts our well managed, efficient, and wholly credible election system at risk.

Majority Amendment (1944h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to eligibility to vote and relative to availability of voter information.

Amend the bill by replacing all after the enacting clause with the following:

1 Voter; Domicile. Amend RSA 654:1, I to read as follows:

I.*(a)* Every inhabitant [~~of the state~~], having [~~a single~~] established domicile [~~for voting purposes~~] ***in this state for no less than 30 consecutive days before any election where the inhabitant offers to vote***, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.

(b)(1) An inhabitant's domicile for voting purposes [~~is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.~~] ***shall be the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in RSA 654:2.***

(2) In determining what is a principal or primary place of abode of a person, without limitation the following factors or evidence relating to such person may be taken into account: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax purposes, eligibility for a resident hunting and fishing license, and a New Hampshire driver's license.

(3) A qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile as described in RSA 654:2.

(4) A person shall not be considered to have gained a domicile in any town or ward of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there. Evidence that a person who, prior to arriving in New Hampshire, was domiciled in another state and is temporarily present in New Hampshire for any purpose including, but not limited to vacation, short-term temporary work, volunteering for social or civic purposes, or volunteering or working on political campaigns is not sufficient evidence that the person has established a domicile in New Hampshire.

(5) If a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.

(c) A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.

2 New Paragraphs; Voter; Domicile. Amend RSA 654:1 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who establishes a voting domicile that otherwise meets the requirement of paragraph I, later than 30 days before any election where the inhabitant offers to vote shall vote at the polling place for the town or ward of his or her most recent previous domicile. Except that any person who transfers an existing New Hampshire voter registration and satisfies the requirements of this chapter for proving his or her new domicile may vote at the polling place for the town or ward of his or her new domicile.

I-c. Any person who met the requirements of this chapter to register to vote in New Hampshire who has established a voting domicile outside of New Hampshire within the 30 consecutive days before an election and is not allowed to register and vote in that election in the state of his or her new domicile because he or she established that new domicile within 30 consecutive days before that election may vote at the polling place for the New Hampshire town or ward where he or she was previously domiciled.

3 Voter Registration Form. Amend RSA 654:7, IV to read as follows:

IV.(a) [~~A~~] Standard registration application [~~form~~] ***forms*** shall be used throughout the state. The registration [~~form~~] ***forms*** shall be no larger than 8 1/2 inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations***, transfers, or updates*** other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

___ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM

(Please print or type)

1. Name _____
Last (suffix) First Full Middle Name

2. Domicile Address _____
Street Ward Number

_____
Town or City Zip Code

3. Mailing Address if different than in 2 _____
Street

_____
Town or City Zip Code

4. Place and Date of Birth _____
Town or City State

Date _____

5. Are you a citizen of the United States? Yes _____ No _____

If a naturalized citizen, give name of court where and date when naturalized

_____

6. Place last registered to vote _____
Street Ward Number

7. Name under which previously registered, if different from above

_____

8. Party Affiliation (if any) _____

9. Driver's License Number _____ State _____

If you do not have a valid driver's license, provide the last four digits of your social security number _____

My name is _____. I am today registering to vote in the city/town of _____, New Hampshire.

I understand that to vote in this [~~city/town~~] ***ward/town***, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [~~city/town~~] ***ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 30 consecutive days before the first election in which I intend to vote.***

I understand that if I have not been domiciled in New Hampshire for at least 30 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[~~In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.~~]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

_____ _____

Date Signature of Applicant

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

(c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, ***transfers, or updates*** at the polling place on the date of a state general election, which shall be in substantially the following form:

___ ***NEW REGISTRATION I am not registered to vote in New Hampshire***

___ ***TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire***

___ ***NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address***

Date _____

VOTER REGISTRATION FORM
FOR USE AT THE POLLING PLACE ON THE DATE OF THE STATE GENERAL ELECTION

(Please print or type)

1. Name _____

Last (suffix) First Full Middle Name

2. Domicile Address _____

Street Ward Number

_____

Town or City Zip Code

3. Mailing Address if different than in 2 _____

Street

_____

Town or City Zip Code

4. Place and Date of Birth _____
Town or City State
Date _____
5. Are you a citizen of the United States? Yes _____ No _____
If a naturalized citizen, give name of court where and date when naturalized
_____
6. Place last registered to vote _____
Street Ward Number
7. Name under which previously registered, if different from above
_____
8. Party Affiliation (if any) _____
9. Driver's License Number _____ State _____
If you do not have a valid driver's license, provide the last four digits of your social security number _____
My name is _____.. I am today registering to vote in the city/town of _____, New Hampshire.

I understand that to vote in this [~~city/town~~] ***ward/town***, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [~~city/town~~] ***ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 30 consecutive days before the first election in which I intend to vote.***

I understand that if I have not been domiciled in New Hampshire for at least 30 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[~~In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.~~]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

_____ _____
Date Signature of Applicant

If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.

This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):

Identity	yes/no	_____ (initials)
Citizenship	yes/no	_____ (initials)
Age	yes/no	_____ (initials)
Domicile	yes/no	_____ (initials)

_____ _____
Applicant Election Official

_____
Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

4 Right to Know Exemption. Amend RSA 654:31-a to read as follows:

654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, qualified voter and domicile affidavits, affidavit of religious exemption, and application for absentee ballot shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. ***However, otherwise confidential information on registration forms, absentee registration affidavits, qualified voter affidavits, challenged voter affidavits, domicile affidavits, affidavits of religious exemption, and applications for absentee ballot shall be made available to the legislature in an aggregated or statistical data format that conceals the identities of individual voters. Said aggregated or statistical data may be presented in public legislative hearings.*** Notwithstanding the foregoing, qualified voter and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of any qualified voter or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, qualified voter and domicile affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

5 Effective Date. This act shall take effect December 1, 2015.

AMENDED ANALYSIS

This bill:

I. Expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 30 days.

II. Modifies the voter registration form.

III. Allows otherwise confidential voter information to be made available to the legislature in an aggregated or statistical data format.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Bennett spoke against.
Reps. Gannon and Hoelzel spoke in favor.
Rep. Moynihan spoke against and yielded to questions.
Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 211 - NAYS 145

YEAS - 211

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan
Hunt, John
McConnell, Jim
Roberts, Kris
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Ammon, Keith
Balcom, John
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Kidder, David
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Parent, Jason
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
True, Chris
Tucker, Pamela
Vose, Michael
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Mullen, John	Pitre, Joseph	Sprague, Dale
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 145

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Townsend, Charles	

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Bouldin, Amanda
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Harvey, Suzanne	Heath, Mary	Jack, Martin	Jeudy, Jean
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Takesian, Charlene	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hoell, J.R.	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Bates, David	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Moody, Marcia	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Ward, Gerald			

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the majority committee report was adopted and ordered to third reading.

MOTION TO REMOVE JACKETS

Rep. Erin Hennessey moved that members be allowed to remove their jackets.
Motion adopted.

MOTION TO PRINT DEBATE

Rep. Hinch moved that the debate on **SB 179,** relative to eligibility to vote and relative to availability of voter information, be printed in the Permanent Journal.
Motion adopted.

DEBATE ON SB 179

Speaker Jasper: The question is on the adoption of amendment (1944h), printed in House Record 39 on pages 1663 to 1667. Are you ready for the question? All those in favor, say aye; those opposed, nay. The ayes have it and the committee amendment is adopted. The Chair recognizes the member from Plymouth, Rep. Bennett to speak against the committee report.

Rep. Bennett: Thank you, Mister Speaker. SB 179 is not about preventing voter fraud in New Hampshire. In the last fifteen years, there have been only six confirmed cases of voter fraud. With no concrete evidence of rampant voter fraud, allegations of "drive-by" voting persist due to trumped-up allegorical hearsay, rather than hard statistics. These allegations are an insult to our town moderators and election officials. SB 179, rather, has the inherent effect of restricting the rights of voters in New Hampshire, especially those of our university students. Of course, SB 179 sponsors will maintain that the bill is not about eroding student's rights to vote, but we all know that the few thousand students in New Hampshire could easily sway a close election and there are those that wish this not to be so. As a student at Plymouth State University, I find the implications of this bill particularly troubling and indeed shameful. During an early September primary, the rights of thousands of incoming students to vote in the place where they live, pay taxes, contribute to the local economy and become a lifelong part of will come under question, due to the 30-day residency requirement in this bill. This is in clear violation of the New Hampshire Constitution, which ensures the voting rights of students. Additionally, the U.S. Supreme Court has ruled that voter fraud is not a compelling interest to implement a durational residency requirement and with no administrative need for a 30-day residency requirement, because we have same day registration, this bill has no legal basis. Indeed, from its outset, SB 179 contained language that was found to be unconstitutional by the supreme court. Now, as amended, with the unconstitutional language regarding changes to voter forms, the bill is being purported to address transparency. Lines 3 through 8 on page 7 of SB 179, would allow the release of private voter forms and affidavits to the public through legislative hearings, yet no public hearing was held on SB 179, as amended. Only the secretary of state and House legal counsel were allowed to speak during the executive session and curiously, the Speaker of the House sat on the committee as a surrogate, spoke and voted during the executive session. With the unconstitutionality and inherent effects of this bill in mind, SB 179 is clearly more of a concerted effort to restrict voting rights in New Hampshire and potentially sway the outcome of the September primary election. This is poor, unconstitutional legislation to begin with. Its passage through the election law committee was questionable, at best, and, as amended, SB 179 encroaches on the privacy of New Hampshire voters having undergone no public scrutiny or testimony. Let us do the responsible thing and vote no on Ought to Pass and if its sponsors wish to do so, allow for the bill to be reintroduced during the next legislative session and undergo the public scrutiny it deserves. Thank you.

Speaker Jasper: Will the member yield to questions? Member does not yield. The Chair recognizes the member from Sandown, Rep. Gannon to speak for the committee report.

Rep. Gannon: Thank you, Mister Speaker. I stand before you today to ensure that we protect the integrity of New Hampshire elections and the first in the nation primary. Voting is a fundamental right to all Americans, however, if an individual from another state comes and votes in New Hampshire, it cancels out the vote of the state's true citizens. This is wrong and tears at the fabric that binds us together as New Hampshire's citizens. This bill is a modest attempt to define domicile as the primary place you live and intend to return should you leave. New Hampshire's Secretary of State Gardner has said that New Hampshire has a problem in respect to voter fraud. He has personally observed it and this is a real issue. Even Vice President Joe Biden's niece, an out of state voter, was temporarily working in New Hampshire on a campaign, voted in a New Hampshire election. That is just wrong. This should be a bipartisan bill today. It is a bipartisan issue and I can't imagine anyone in this Hall wants out of state voters to be free to vote in New Hampshire elections. The bill will protect the sanctity of the voting process here in our state. Residents of my district have approached me stating that they are concerned about the integrity of our state's elections. Just the fact that they think this weakens our voting system. This bill will help to restore our voter confidence and the integrity of our elections. In our most recent general election, there were 1,800 votes that were challenged as to their origin. The secretary of state sent out letters and they are unverifiable. That's 1,800 votes. At this point, there is nothing we can do about it. Why are these votes so important to me? Ask the Representatives in this Hall who were elected by 1 or 2 votes. Are you also aware that New Hampshire is the place of the closest U.S. Senate race? In 1974, the Durkin and Wyman race was decided by just 2 votes. The minority on this issue has said we rushed this bill through. That is simply not accurate. We had a full public meeting on the bill months ago. Recently, there were minor changes in order to conform with the recent State Supreme Court decision. The minority, at our executive meeting, were fearful as you heard that this would impact the college student voting. The nonpartisan House legal counsel, as well as the secretary of state, has told us it will not affect them. At the public meeting on the bill, I asked the President of the ACLU and the New Hampshire League of Women Voters, could we compromise on this? Could we come up with a lesser time period that would not be offensive to you? I asked about 15 days. They said no. I said 10 days. They said no. Five days. Again, they answered no. I said, how about 1 day? If we could somehow do the paperwork in a day, could you live with that? I was told no. I even asked the minority in our election law committee if they could take it to the caucus the idea of a compromise to a lesser timeframe. They came back to me; they said there would be no compromise, not a day. It's difficult to develop bipartisan solutions when the other side refuses to work with us. This bill will ensure the people of New Hampshire decide our own elections, not out of state voters. Thank you.

Speaker Jasper: Does the member yield to a question? Member does not yield. The Chair recognizes the member from Dummer, Rep. Moynihan to speak against the committee report.

Rep. Moynihan: Thank you, Mister Speaker and thank you, members for your attention. The proceedings in the election law committee were not as complete as recently presented to you, at least in the perspective of the minority. You may recall that this body had a bill before it in April. It was HB 112. That HB 112 does essentially the same thing that SB 179 proposes to do. HB 112 adjusted the definition of domicile. HB 112 attempted to connect voting with motor vehicle rules. That bill, after being presented to this body, was tabled by this body. Because of the concerns, this body was persuaded to recognize the bill had to be unconstitutional. So, HB 112 now sits on our table. It has, through the process we have now, subsequent to that, presented with a senate bill, SB 179 that basically does the same thing. What we debated in the committee, among the things that we debated in committee, was should we wait and see what the answers would be that we receive from the supreme court on the questions that we sent from this House as to whether or not HB 112 was constitutional. You will recall that HB 112.....

Speaker Jasper: The member will suspend....We are not talking about HB 112. You need to confine your remarks to what is in SB 179. The issues that were sent to the court you may talk about as long as they are confined to what is in SB 179.

Rep. Moynihan: Very well, Mister Speaker. Thank you. The issues that are in SB 179 include a variation on the definition of domicile, most importantly, the creation of a residency requirement and thirdly, a transfer of confidential information into public information. The recent supreme court decision, that to me was an answer to the questions that we had presented to the supreme court,

came not in the form of an advisory opinion, in response to questions we presented, but came in the form of an actual opinion on a case in controversy known as Guare v State of New Hampshire. In that case, the supreme court found that changes that had been made to the domicile, motor vehicle, voting qualification rules by the House in 2012, were unconstitutional. Therefore, we had a meeting two weeks ago on SB 179 because clearly of what's in SB 179 before it was amended, as we just did, had unconstitutional provisions. It had a provision in it that said if you voted in New Hampshire, you would have to register your car and get a license in New Hampshire. The amendment strips that part out, but the amendment does not strip out other defective parts of SB 179. SB 179 creates a residency requirement saying that if you are a doctor, who moves to New Hampshire 30 days before the election, you can't vote in the New Hampshire election because you cannot establish your domicile here within those 30 days prior to the election. Military people that are sent to the state could not vote within those 30 days. College students, who arrive and take up their domicile under approved New Hampshire law, could not vote in that election. So, the bill clearly cuts and puts a limit on our citizens' fundamental right to vote. Would we allow the fundamental right under the constitutional to bear arms to be limited? We would not be allowed to bring our firearms into New Hampshire for 30 days until after we live here. This law affects a fundamental right. Forgive me if I am repeating myself, but all elections under our constitution, Part I, Article 11 must be free and every inhabitant of the state, 18 years of age and upwards, shall have an equal right to vote in any election and every person will be considered an inhabitant for purposes of voting in the place where he has his domicile. Fundamentally, the controversies, the allegations of fraud, the allegations of misvoting very often come down to the debate over whether the voter is a resident or the voter is domiciled in New Hampshire. New Hampshire's constitution allows people who are domiciled in New Hampshire to vote in New Hampshire while they live here, even if it is not as a definition of residency says their intent to remain in New Hampshire. So, it's our constitution that has this domicile word in it. It's our constitution that if we want to change, we should amend, but it is not appropriate to amend the constitution by changing the definition of domicile in such a way as this bill does. The other issue that we believe would not be fair or constitutional is that the residency requirement and the domicile determination is made by a set of factors that used to be in a handbook and this bill puts into law. The handbook was a training tool for election administrators. The terms and suggestions in that book that an election official might ask a voter to determine whether or not the voter's domicile is in fact in New Hampshire, we are, if we pass this, putting into law. Those suggestions, which are in the amendment and in the bill, are really tests not of domicile, but tests of residency. If you want to show your hunting license, that would be proof of domicile, but you need, as you know, to be a resident in most cases to get a hunting license. If you show your New Hampshire driver's license, you would establish your domicile, but as you know, you need to be a New Hampshire resident to get a driver's license. So, the bill conflates, as the New Hampshire Supreme Court recently said in that case, it conflates the meaning of domicile and residency. It takes two words and makes them mean the same thing when in reality they mean two very different things. Lastly, as was said without prior knowledge of the committee, a new section was put into the amendment that changes information that was heretofore confidential information from voter affidavits, religious exemption affidavits and the like into public information that could be distributed to the legislature. For these reasons, we believe this amendment is unconstitutional and wrong policy for our state and I would urge you to vote red to deny SB 179. Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? Rep. Itse, you may inquire.

Rep. Itse: Thank you, Mister Speaker. Thank you to the Representative for taking my question, the Representative from Dummer. First, did the secretary of state express a knowledge that there is indeed voter fraud in this state?

Rep. Moynihan: In the information that I heard, testified to in our committee, the secretary of state did not say that. The secretary of state, in our committee, I'll give you an example of what he said. He talked about some cases. The facts of the matter are that in the last 15 years, there have been 6 cases of established voter, misapplication of voting law here in New Hampshire. Six cases in the last 15 years. I recognize that there is a case in Dover where someone claimed a thousand letters had been presented and the ballot law commission had a hearing in Dover and they dismissed the petition in regards to those and did not require Dover to redo their checklist. The 1,786 letters that the secretary of state sent out after the 2012 election, I believe it was, are still under investigation. There has been no ruling that those 1,786 voters perpetrated voter fraud. From my perspective, he did not say that.

Speaker Jasper: Does the member yield to a further question? Follow up question? Member does not yield. The Chair recognizes the member from Raymond, Rep. Hoelzel to speak in favor of the committee report.

Rep. Hoelzel: Thank you, Mister Speaker. The amendment is necessary after the decision of the New Hampshire Supreme Court in the Guare case. The amendment, with the help of House counsel and the secretary of state; that is how we came up with the amendment. This amendment will meet all federal laws so we will not be in violation of federal laws. Interest in making the law clear. The requirement that a person have established his or her domicile in New Hampshire for at least 30 days.....

Speaker Jasper: Will the member please suspend? You need to remember, just for a point of clarification, that the amendment has already been adopted so you are speaking to the bill, as amended.

Rep. Hoelzel: Thank you, Mister Speaker. The requirement that a person have established his or her domicile in New Hampshire for at least 30 days before voting makes our election laws more easily understood, so all who are qualified have an equal opportunity to register and vote. Election officials will now more easily be able to answer the question, what does domicile mean? Unclear laws invite those not qualified to try to take advantage of the lack of clarity and may discourage those who are qualified from exercising their right. Our government has a duty to make the election laws clear and easily understood. This bill will make clear that a person must have established his or her domicile here for at least 30 days before the election. With this bill, the public, election officials, and campaigns will have a clear rule that helps distinguish a short term visitor from a person who has legitimately established a domicile in New Hampshire. The 30 day domicile requirement supports the government's interest in maintaining legitimate elections by increasing the ability of the government to verify voter information and to enforce the law. The vast majority of people who are in New Hampshire for at least 30 days will create a record of their new address by performing at least one action that requires address information to be given. Actions that would create a record include but are not limited to: entering into a lease or a rental agreement, forwarding mail, establishing utilities, registering children for school, registering for college or registering a motor vehicle. If, after an election, uncertainty does arise as to the legitimacy of a person's claim of domicile, these records will allow voter information to more easily be verified. Many states close voter registration up to 30 days before and I think it is almost 40 states that have durational requirements like this bill proposes. This gives election officials the time to confirm the validity of information provided by registrants. New Hampshire ensures that voting is easily accessible through the election day voter registration process. By adding the 30-day domicile requirement, New Hampshire will have a more viable way to verify voter information while still offering the highest level of access to the polls. The previous member spoke of domicile and domicile is clearly defined in RSA: 654:1. Residency is a separate definition and that is defined under RSA: 21:6. There was concern over the requirement that we have added to SB 179, which states that the information can be given to the secretary of state and that is so that we, as a legislature, can have that information. It would not be identifiable information. There would be nothing identifiable about the voter on that. It would just be numbers. Right now we have trouble getting those numbers sometimes and we also have trouble following up on them. I urge you to pass this bill. Thank you.

Speaker Jasper: Will the member yield to questions? Member does not yield. Rep. Kappler has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Will members please take their seats? The Chair recognizes Rep. Shurtleff for a parliamentary inquiry.

Rep. Shurtleff: Thank you, Mister Speaker. Mister Speaker, if I know that this bill establishes a 30-day period before new residents are allowed to vote in New Hampshire elections and in effect, we are telling people do not come to New Hampshire after October. And, if I know that 4 elections will be held in most municipalities next year, creating four 30-day windows in which our new neighbors would be denied their right to vote. And, Mister Speaker, if I know that one of our most cherished rights as American citizens is the right to vote and this bill effectively denies honest citizens from exercising that fundamental right, would I now press the red button to prevent and protect eligible New Hampshire voters from being disenfranchised? Thank you, Mister Speaker.

Speaker Jasper: The question is on the committee report on SB 179. If you are in favor, you will press the green button. If you are opposed, you will press the red button. The Chair recognizes Rep. Chandler for a parliamentary inquiry.

Rep. Chandler: Thank you, Mister Speaker. If I know the secretary of state knows there are problems with our voting laws and I know that the supreme court had some differences with our previous legislation and I also know the committee, fine legal minds and the secretary of state crafted this legislation before you. And, if I know all of that and believe it is in the best interest of the bonafide voters of the state of New Hampshire to pass this legislation, would I now press the green button?
Speaker Jasper: The question is on the adoption of the committee report on SB 179. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. Voting stations will be open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 211 votes in the affirmative, 145 in the negative, the committee report is adopted.

MOTION TO SPECIAL ORDER

Rep. Introne moved that **SB 221-FN,** relative to electric rate reduction financing, be made a Special Order as the next order of business and spoke in favor.
Motion adopted.

REGULAR CALENDAR CONT'D

SPECIAL ORDER

SB 221-FN, relative to electric rate reduction financing. **OUGHT TO PASS WITH AMENDMENT.** Rep. Michael Vose for Science, Technology and Energy. This bill sets up a framework to allow the public utilities commission (PUC) to streamline the process of divestiture for PSNH, now Eversource, and to secure low-interest bonds to recover any resulting stranded costs. Divestiture (the selling of generation plants) moves the state's electricity market closer to full competition in the sale of power. The value of competition over the next five (5) years is about $35 million in reduced costs. A proposed settlement with PSNH will see a shareholder reduction of about $50 million per year in lost earnings on those generation assets. The settlement also provides that PSNH shareholders will write off $25 million of scrubber costs and forego $69 million of revenue by delaying a rate case for two years. The construction of the mercury scrubber at Merrimack station in response to passage of HB 1673 in 2006 constitutes the major portion of PSNH's stranded costs. Stranded costs occur when plants are sold below their book value. This bill takes advantage of low interest rates by providing a mechanism, called securitization, to allow PSNH to recover stranded costs spread over a 15-year period through the bond market. This is not a state backed bond. Recovering stranded costs through securitized bonds at 2.5-3% interest will be cheaper than paying those costs in regular rates, which are subject to a 9.81% profit margin under existing law. These low interest rates are secured through a small, non-avoidable charge on all PSNH distribution customers. Securitization was used successfully to lower customer costs in the settlement reached with PSNH in 2000. The amendment by the house science, technology and energy committee makes it clear that the legislature is not approving the 2015 settlement between state negotiators and PSNH. Further, it instructs the PUC to take into account the impact of the settlement on all PSNH customer classes, and to consider the impacts on the economy in PSNH's service territory, the ability to attract and retain employment across industries, and whether the proposed rate design fairly allocates the costs of divestiture among customer classes. As compared to standard divestiture, the 2015 settlement and proposed rate design results in rates significantly less across all customer classes, and it mitigates the rate impact of the non-by passable charge on PSNH customers who purchase energy service from a competitive supplier. Should this bill not pass, the PUC will order the recovery of all or some of the scrubber costs through regular rates, and those rates will climb as PSNH receives its 9.81% profit and as large deferral of costs becomes reflected in rates in January. Should PSNH disagree with the PUC's decision, years of litigation would ensue, with PSNH getting about $50 million more in earnings each year, and ratepayers losing out on customer savings from securitization. Inaction or delay will result in higher rates, especially for many residential households. The state's consumer advocate, representing residential ratepayers, supports this bill as do several local chambers of commerce, and the Business and Industry Association. Vote 18-1.

Amendment (1926h)

Amend RSA 369-B:1, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. It is in the public interest for the commission to issue a finance order that is subject to the requirements of this chapter and that securitizes any stranded costs resulting from the divestiture of

all or some of PSNH's generation assets, if the commission approves the 2015 settlement proposal or otherwise orders divestiture of all or some of PSNH's generation assets.

Amend RSA 369-B:2, XIV(g) as inserted by section 3 of the bill by replacing it with the following:

(g) Expenditures incurred to implement the 2015 settlement proposal or other divestiture of all or some of PSNH's generation assets as ordered by the commission.

Amend RSA 369-B:3, IV(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Authorize the issuance of rate reduction bonds in an amount sufficient to fund stranded costs, deferrals, transaction costs, tax liabilities, employee protections, payments in lieu of taxes, and other expenditures as contemplated in the 2015 settlement proposal, if approved by the commission, or if the commission orders divestiture of all or some of PSNH's generation assets. The net benefits of accumulated deferred income taxes relating to amounts that will be recovered through any such issuance of rate reduction bonds shall be credited to retail customers by reducing the amount of such rate reduction bonds that would otherwise be issued by the net present value of the related tax cash flows, using a discount rate equal to the expected interest rate on such rate reduction bonds. This authorization is in addition to any amount authorized in subparagraph (a) or (b).

Amend RSA 369-B:3-a as inserted by section 10 of the bill by replacing it with the following:

369-B:3-a Divestiture of PSNH Generation Assets; Review of 2015 Settlement Proposal.

I. The general court finds that divestiture of PSNH's generation plants and securitization of any resulting stranded costs pursuant to RSA 369-B:3, IV(c) is in the public interest, subject to the provisions of paragraph III.

II. As part of an expedited proceeding, the commission shall review the 2015 settlement proposal and determine whether its terms and conditions are in the public interest. Notwithstanding RSA 374-F:3, VI, the commission may incorporate rate designs that fairly allocate the costs of divestiture of PSNH's generation plants among customer classes. As part of its review of the 2015 settlement proposal, the commission shall take into account the impact on all PSNH customer classes, and shall consider the impacts on the economy in PSNH's service territory, the ability to attract and retain employment across industries, and whether the proposed rate design fairly allocates the costs of divestiture of PSNH's generation plants among customer classes. The commission may approve or reject the 2015 settlement proposal, or condition its approval on any modification of the terms and conditions that it determines to be necessary to meet the public interest standard, so long as any order to divest provides for recovery of stranded costs and such other costs of divestiture as may be approved by the commission. If the commission conditions its approval, the settling parties may amend or terminate the 2015 settlement proposal.

III. Notwithstanding paragraphs I and II, if the commission rejects the 2015 settlement proposal or approves it with conditions that are not acceptable to the settling parties as provided in paragraph II, the commission, as part of the pending expedited proceeding in Docket DE 14-238, Determination Regarding PSNH's Generation Assets, shall order divestiture of all or some of PSNH's generation assets if the commission finds that it is in the economic interest of retail customers of PSNH to do so. If it orders divestiture, the commission shall determine the manner in which any assets should be divested; provide for the cost recovery of such divestiture, which cost recovery may include rate reduction bonds as provided in RSA 369-B:3, IV(c); and, notwithstanding RSA 374-F:3, VI, may incorporate rate designs that fairly allocate the costs of divestiture of some or all of PSNH's generation assets among customer classes. In considering rate designs, the commission shall consider the impacts on the economy in PSNH's service territory and the ability to attract and retain employment across industries.

IV. Prior to any divestiture of its generation assets, PSNH may modify or retire such generation assets if the commission finds that it is in the economic interest of retail customers of PSNH to do so and provides for the cost recovery of such modification or retirement.

V. On or before October 15, 2015, the commission shall submit to the legislative oversight committee on electric utility restructuring established under RSA 374-F:5 a progress report concerning the status of the proceedings referred to in this section.

Amend the bill by replacing section 14 with the following:

14 Public Utilities Commission; Restructuring of PSNH Ownership of Generation Assets; Recovery of Costs. Notwithstanding RSA 374-F:3, V(c), the commission may approve recovery of net over-market costs of purchased power agreements entered into pursuant to RSA 362-F:9 through a stranded cost charge as part of a comprehensive restructuring of PSNH's ownership of generation assets.

AMENDED ANALYSIS

This bill permits the public utility commission to issue finance orders that authorize the issuance of certain rate reduction bonds in accordance with the 2015 settlement proposal, or if the commission orders divestiture, regarding cost recovery of the Merrimack Station scrubber and divestiture of PSNH's remaining generation plants.

The bill also clarifies employee protections in the event of the divestiture or retirement of PSNH generation assets.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Cushing offered floor amendment (2019h).

Floor Amendment (2019h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to electric rate reduction financing, and relative to phasing out and repealing the exemption for water and air pollution control facilities from local property taxation.

Amend the bill by replacing all after section 14 with the following:

15 Legislative Findings; Phase Out and Repeal of Tax Exemption. The general court finds that legacy subsidies for divested generation assets, in the form of mandated exemptions of portions of those power plants from municipal and state property taxes which result in increased tax burden on other property taxpayers, is inconsistent with the principles of tax fairness and the goal of fair competition in a restructured competitive and transparent electric power supply, transmission, and distribution system. The general court finds that, consistent with the intent to fairly and successfully achieve a global settlement of all outstanding issues that remain to complete the restructuring of the electric utility industry, it is in the public interest to phase out the subsidies mandated in RSA 72:12-a and RSA 83-F:1, V(a) over a 3-year period and then repeal those statutes.

16 Water and Air Pollution Control Facilities; Exemption; Phase Out Added. Amend RSA 72:12-a, V to read as follows:

V. The taxing authorities shall each year separately appraise and describe the facility and related real estate and cause such appraisal and description to appear in their inventory. In accordance with the provisions of this section, the taxing authority shall exempt from the taxes levied under this chapter the appraised value of the facility and any real estate necessary therefor, or the exempt percentage thereof[~~;~~] ***as*** determined by the department ***or as provided in paragraph V-a***. The exemption period shall begin as of the April 1 next following the receipt of the department's determination.

V-a. Prior to repeal on March 31, 2018, the exemption under this section for the appraised value of the facility and real estate necessary therefor, or the percentage thereof, shall be applied at the following reduced percentages for the corresponding property tax years:

(a) For the property tax year beginning April 1, 2015, the owner of the facility shall receive 75 percent of the determined exemption.

(b) For the property tax year beginning April 1, 2016, the owner of the facility shall receive 50 percent of the determined exemption.

(c) For the property tax year beginning April 1, 2017, the owner of the facility shall receive 25 percent of the determined exemption.

17 Repeal; 2018. The following are repealed:

I. RSA 72:12-a, relative to the property tax exemption for water and air pollution control facilities.

II. RSA 72:12-b, relative to facilities exempted under prior law.

III. RSA 83-F:1, V(a), relative to the exclusion of exempt property from classification as utility property.

18 Effective Date.

I. Section 17 of this act shall take effect March 31, 2018.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill permits the public utility commission to issue finance orders that authorize the issuance of certain rate reduction bonds in accordance with the 2015 settlement proposal, or if the commission orders divestiture, regarding cost recovery of the Merrimack Station scrubber and divestiture of PSNH's remaining generation plants. The bill clarifies employee protections in the event of the divestiture or retirement of PSNH generation assets.

This bill also phases out the exemption from property taxes for the appraised value of water and air pollution control facilities as determined by the department of environmental services over a 3-year period and repeals the exemption on March 31, 2018.
The Speaker ruled floor amendment (2019h) non-germane.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Cushing spoke against.
Rep. Vose spoke in favor and yielded to questions.
Rep. Fromuth requested a roll call; sufficiently seconded.

YEAS 308 - NAYS 43

YEAS - 308

BELKNAP

Aldrich, Glen	Fields, Dennis	Fisher, Robert	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Luther, Robert	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Cordelli, Glenn	McCarthy, Frank	McConkey, Mark
Nelson, Bill	Parker, Harold	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	Wright, Ted		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Ley, Douglas
Mann, John	McConnell, Jim	Parkhurst, Henry	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Duane	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Brown, Pamela	Burt, John	Byron, Frank	Christensen, Chris
Christiansen, Lars	Christie, Rick	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Flanagan, Jack	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Gould, Linda	Goulette, William	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Harvey, Suzanne	Heath, Mary	Hinch, Richard
Hogan, Edith	Infantine, William	Jack, Martin	Jeudy, Jean

Lachance, Joseph
Mangipudi, Latha
Murphy, Keith
Ober, Lynne
Parison, James
Porter, Marjorie
Rosenwald, Cindy
Schleien, Eric
Shaw, Barbara
Soucy, Timothy
Takesian, Charlene
Williams, Kermit
LeBrun, Donald
Manley, Jonathan
Notter, Jeanine
Ober, Russell
Pellegrino, Anthony
Proulx, Mark
Rouillard, Claire
Scontsas, Lisa
Simmons, Tammy
Souza, Kathleen
Twombly, Timothy
Wolf, Terry
Leishman, Peter
McClarren, Donald
O'Brien, Michael
Ohm, Bill
Peterson, Ken
Rice, Kimberly
Rowe, Robert
Seidel, Carl
Smith, Gregory
Sullivan, Daniel
Ulery, Jordan
Woodbury, David
Long, Patrick
McLean, Mark
O'Neil, William
Palmer, Barry
Pierce, David
Roberts, Carol
Sanborn, Laurie
Shattuck, Gilman
Snow, Kendall
Sullivan, Victoria
Walsh, Robert
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hess, David
Kenison, Linda
MacKay, James
Myler, Mel
Rice, Harold (Chip)
Shurtleff, Stephen
Wheeler, Deborah
Bartlett, Christy
Doherty, David
French, Harold
Hill, Gregory
Kidder, David
Marple, Richard
Parent, Jason
Saunderson, George
Turcotte, Alan
Bradley, Paula
Ebel, Karen
Gile, Mary
Horn, Werner
Long, Douglas
McGuire, Dan
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane
Carson, Clyde
Frazer, June
Henle, Paul
Karrick, David
Luneau, David
Moffett, Howard
Ratzki, Mario
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Cook, Allen
DiFranco, Debbie
Fesh, Robert
Gordon, Pamela
Harris, Jeffrey
Introne, Robert
Major, Norman
McKinney, Betsy
O'Connor, John
Peckham, Michele
Schroadter, Adam
Sweeney, Joe
Ward, Gerald
Woitkun, Steven
Allen, Mary
Borden, David
Chase, Francis
Dean-Bailey, Yvonne
Duarte, Joe
Francese, Paula
Griffin, Mary
Heffron, Frank
Katsakiores, Phyllis
Manning, John
McMahon, Charles
Oligny, Jeffrey
Potucek, John
Sherman, Thomas
Sytek, John
Webb, James
Wood, David
Azarian, Gary
Bush, Carol
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Friel, William
Guthrie, Joseph
Hodgdon, Bruce
Kolodziej, Walter
Matthews, Carolyn
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Simpson, Alexis
True, Chris
Welch, David
Belanger, Ronald
Cahill, Michael
Christie, Andrew
Devine, James
Ferrante, Beverly
Gannon, William
Hagan, Joseph
Hoelzel, Kathleen
Lovejoy, Patricia
McBeath, Rebecca
Nigrello, Robert
Pantelakos, Laura
Rice, Frederick
Spillane, James
Vose, Michael
Weyler, Kenneth

STRAFFORD

Baber, William
Groen, Warren
Kaen, Naida
Pitre, Joseph
Spang, Judith
Verschueren, James
Beaudoin, Steven
Hannon, Joseph
Knowles, Robert
Rollo, Deanna
Sprague, Dale
Wall, Janet
Bickford, David
Jones, Laura
Leeman, Don
Schmidt, Peter
Stevens, Audrey
Whitehouse, Joshua
Bixby, Peter
Kaczynski, Jr., Thomas
Mullen, John
Southworth, Thomas
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Gottling, Suzanne
O'Hearne, Andrew
Cloutier, John
Grenier, James
Rollins, Skip
Converse, Larry
Irwin, Virginia
Schmidt, Andrew
Gagnon, Raymond
Laware, Thomas
Smith, Steven

NAYS - 43

BELKNAP

Dumais, Russell Hurt, George

CHESHIRE

Emerson, Susan Roberts, Kris

COOS

Thomas, Yvonne

GRAFTON

Hull, Robert

HILLSBOROUGH

Ammon, Keith Bouldin, Amanda Ferreira, Elizabeth Forest, Armand
Fromuth, Bart Hansen, Peter Hopper, Gary O'Brien, William
Stepanek, Stephen Vann, Ivy

MERRIMACK

Brewster, Michael Hoell, J.R. Kuch, Bill Martin, John
McGuire, Carol Rogers, Katherine

ROCKINGHAM

Abramson, Max Baldasaro, Alfred Bates, David Cali-Pitts, Jacqueline
Cushing, Robert Gordon, Richard Green, Dennis Itse, Daniel
Kappler, Lawrence Kellogg, Shem Moody, Marcia Osborne, Jason
Tasker, Kyle Tucker, Pamela

STRAFFORD

Burton, Wayne Cheney, Catherine Cilley, Jacalyn DiSesa, Len
Horrigan, Timothy Smith, Marjorie

SULLIVAN

Oxenham, Lee

and the committee report was adopted and ordered to third reading.
Rep. Edwards declared a conflict of interest and did not participate.

MOTION TO PRINT DEBATE

Rep. Hess moved that the debate on **SB 221-FN,** relative to electric rate reduction financing, be printed in the Permanent Journal.
Motion adopted.

DEBATE ON SB 221-FN

Speaker Jasper: The question is on amendment (1926h), printed in House Record 39, pages 1668 to 1669. Are you ready for the question? All those in favor, say aye; those opposed, nay. The ayes have it and the amendment is adopted. The question is on the committee report. The Chair recognizes the member from Hampton, Rep. Cushing to speak against the committee report.
Rep. Cushing: Thank you, Mister Speaker. Mister Speaker, as we had a discussion yesterday, I would like to move an amendment.
Speaker Jasper: You are recognized to offer your amendment.
Rep. Cushing: I would like to move amendment (2019h) please.
Speaker Jasper: Amendment (2019h) is not in order. The Chair is ruling that the amendment is non-germane. You are recognized to speak to the committee report.
Rep. Cushing: Thank you, Mister Speaker. I do not challenge the ruling of the Chair, but I appreciate the conversation you and I had yesterday afternoon. I appreciate that we were able to disagree on this and let me proceed anyway.
Speaker Jasper: You are welcome. Please proceed.

Rep. Cushing: It's with great reluctance that I rise to speak in opposition to this. I have a tremendous amount of respect for all of the people who have been working around this issue, not just this year, but for years. I was able to serve on the House Science, Technology and Energy Committee under Sen. Bradley when he was the Chair and I know he is the prime sponsor of this bill. I respect the work, but I can't help having a sense of being back to the future when this legislation comes before us. In 2008, I was part of a group of people who opposed, who introduced SB 152. This issue came before the legislature before a spade of earth had been turned at the Merrimack, at the Bow plant. There was legislation that came before both the House and the Senate to ask for an investigation before we proceeded to spend what was promised to be a quarter of a billion dollars and ended up being almost twice that. We were told at the time, don't worry. If things don't work accordingly, you will have a chance to review it. About half a billion dollars later, we are back here and being asked to pick up the tab. We are being asked to approve a bill that will allow the Public Utilities Commission to approve an order to impose half a billion dollars worth of rate increases on the customers of Public Service Company of New Hampshire or I guess after a million dollars, it's now being called Eversource or as some people think it's going to be known as "everpay." This is a bill that is trying to move beyond what has been the historical problems we've made. I have a couple of concerns about this. One is that it just seems like we're rewarding mismanagement. In a way, that is really outrageous. What is embedded in this bill is the notion that Public Service Company, that somebody is entitled, entitled, to a 9.8% rate of return on their investment; that they have been entitled the entire time. Since 2009, when the project began, the prime lending rate has been at 3.5%. It's really hard to understand how you can mess up a project. Mess up when you have captive customers, when there are barriers from entry to prevent anybody else from coming in and you are able to make a rate of return on all of your investment and claim that the rate of return should be, what I think is, almost usurious. Why should you make three times the prime lending rate when you have an absolute guarantee of customers? It doesn't make any sense and that is what we are awarding in this. I also have some concerns about what impact this is going to have on the whole State of New Hampshire. One of the things that's missing from here is a fiscal note that can explain what impact this will have on state revenues and local revenues. The reality is what's being contemplated is an auction of the existing assets of Public Service Company, of assets that have been paid for over the years by captive customers. What we don't account for is what impact that auction is going to have on local communities and upon the state when those assets are sold at a fire sale process and we take a hit in our local communities from property taxes and every property taxpayer in the state takes a hit because of the impact that it has on the Education Trust Fund on the statewide property tax. I asked the question during the presentation last week about what the impact was going to be upon revenues in the state and nobody could answer it. It seems to me when we are going forward, what is a pretty major undertaking, we are going forward in imposing a broad base on three-quarters of the people of the State of New Hampshire, a half a billion obligation to pay off for past mistakes that were made in the name of stockholders of Northeast Utilities, that we ought to have an answer to some of these questions. Finally, what concerned me about this, just from a philosophical position, for perspective, is what we're doing with the plants that are being sold off. Those plants right now are subsidized by the taxpayers. There are portions of that plant that are considered for the purposes of pollution control. They have been paid for. They make a rate of return on it and yet, they have almost managed at the same time to exempt themselves from local property taxes and state property taxes. We call it a subsidy. What we are contemplating doing is, not only are we going to sell the plants, we are going toss in the subsidy. So you will have the State of New Hampshire property taxpayers to end up subsidizing the new owners of these merchant plants who have no obligation to any customers who are then going to be able to sell that subsidized power, that they don't have to pay property taxes on, on the open market and they may be selling it in Massachusetts. Just think, isn't that going to be interesting? We are going to pass a bill that's going to require New Hampshire property taxpayers to subsidize the operations of power plants that sell the electricity in Massachusetts. I just have some problems with this. Someone said that this was an exercise of getting up and tilting against windmills. I said no it's actually tilting against a coal-fired plant with scrubbers on it. I just think it's a bad deal.

Speaker Jasper: The Chair recognizes the member from Epping, Rep. Vose to speak in favor of the committee report.

Rep. Vose: Thank you, Mr. Speaker. The bill before us at the moment was described by one of its primary sponsors as something that he wasn't happy about, but something that needed to be done. Kind of like your tax return, not something you look forward to, but something you really can't avoid. In 2006, this body instructed PSNH, now Eversource, to install a scrubber at the Merrimack Station in Bow. The invoice for that expensive technology came due in 2012 when the scrubber went on line and part of the cost of that scrubber was deferred while the PUC performed a prudence review to determine if the company should recover all the money that it invested. Eversource default service customers began paying 2/3 of the scrubber costs immediately. The interest was accruing on the deferred part and Eversource was collecting almost 10% profit on the 2/3 of the cost that the people had started to pay for. Now, some folks thought that there was a better way to deal with this issue. That better way turned out to be a process started as long ago as 1996. New Hampshire was one of the first states in the country to begin the process of deregulation of the electricity market. Part of that process involved the breakup of monopolies like Eversource, a process called divestiture, which separated power generation from its sale and distribution. By resurrecting divestiture, the sponsors of SB 221 saw a way to more economically pay for the Merrimack Station scrubber and level the playing field for the electricity suppliers all at once. Eversource knew that divestiture was part of its long-term future and it could see that its aging fleet of power plants was likely to be worth more in 2015 than at any time in recent history. When offered the opportunity by SB 221, the company decided to enter into settlement negotiations for divestiture. The result of those negotiations was an outline of a settlement that will save ratepayers $380 million over the next five years. These savings come from Eversource forgoing $25 million in scrubber costs, from delaying a rate case for two years, which saves $69 million, and from giving up $50 million a year in profits from their generation plants once they are sold, which comes to $250 million in five years. Sale of the generation plants on the open market will likely not cover their book value. The difference in the two numbers constitutes a stranded cost, which is money the company is entitled to recover. SB 221 provides a mechanism, called securitization, to allow Eversource to sell bonds secured by a small ratepayer surcharge to recover those stranded costs. So, the bottom line here is that the bill for the scrubber is now due and payable. We can pay a lot for it, or we can pay about $380 million less. I vote for paying less, and I urge you to do the same. Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? Member yields. Rep. Hess, you may inquire.

Rep. Hess: Thank you very much, Mister Speaker. Thank you for taking the question. As a predicate, let me say that I served for four years on the Governor's Business Tax Commission to look at the incentives and disincentives for having industry and business locate in New Hampshire and stay and expand in New Hampshire. One of the three major factors that almost everyone sites is the high energy costs in New Hampshire compared to the rest of the country. My first question, I think you may have answered, but let me be clear. Do I understand that the PUC cannot order divestiture of any facility unless it finds that it is in the economic interest of retail customers of PSNH to do so?

Rep. Vose: Yes, that is correct.

Rep. Hess: That is the $180 million in savings that you alluded to…..

Speaker Jasper: Further question?

Rep. Hess: Yes.

Speaker Jasper: Does the member yield?

Rep. Vose: Yes.

Speaker Jasper: You may inquire.

Rep. Hess: Is that the $180 million, plus or minus, that you alluded to in your initial comments?

Rep. Vose: It was $380 million and that is part of the divestiture settlement that the PUC and Eversource will work out.

Rep. Hess: Further question?

Speaker Jasper: Does the member yield?

Rep. Vose: Yes.

Speaker Jasper: You may inquire.

Rep. Hess: Do I also understand from the amendment, as I am reading it on page 1669 of the calendar, that this amendment requires, doesn't authorize or enable, but requires the commission to consider the impact on the economy of the area that is currently serviced by PSNH in making it's divestiture decision?

Rep. Vose: That is correct. It not only requires the PUC to consider the economic impact on our jobs and employment picture, but it gives the PUC the authority to design rates, to ameliorate a negative impact on our largest commercial and industrial customers of electricity.
Rep. Hess: Final question, Mister Speaker.
Speaker Jasper: Does the member yield?
Rep. Vose: Yes.
Speaker Jasper: You may inquire.
Rep. Hess: Does this amendment also mandate that the PUC must consider the ability to attract and retain employment across industries as part of its decision?
Rep. Vose: That was an important consideration for many Republicans in the House and the STE Committee also agreed that this was an important consideration for the PUC to take under account so, yes that is a part of the amendment.
Speaker Jasper: Does the member yield to further questions?
Rep. Vose: Yes.
Speaker Jasper: Member yields. Rep. Fromuth, you may inquire.
Rep. Fromuth: Thank you, Mister Speaker. Thank you, Representative Vose, for taking additional questions. Would you agree that last winter when rates at Enstar, National Grid, Central Maine Power, Liberty Utilities and Unitil all climbed between 15 and 24 cents per kilowatt hour and PSNH remained at 10 cents per kilowatt hour; that had a lot to do with the fact that PSNH relies on stable, not volatile, coal production that they were able to keep those rates nice and low for those PSNH customers?
Rep. Vose: I would agree that was the case this past winter, but that wasn't the case the previous winter and may not always be the case and that's not really germane as a question to the issue of divestiture which I think is important for the long-term future of the electricity market in New Hampshire and in New England.
Rep. Fromuth: Further question.
Speaker Jasper: Does the member yield?
Rep. Vose: Yes.
Speaker Jasper: You may inquire.
Rep. Fromuth: Thank you, Representative. Would you agree that right now, we've been having a significant amount of discussion about a natural gas pipeline in the Northeast to try to increase our capacity ability because so much reliance on natural gas generation for the production of electricity has really consumed the Northeast and that was a major cost driver this past winter?
Rep. Vose: Could you rephrase that question?
Rep. Fromuth: So, this past winter….. Again, to start off, we've been having a lot of discussion lately about building additional pipeline capacity in the Northeast because the Northeast has come to heavily rely on natural gas for the production of electricity.
Speaker Jasper: The member will suspend. You are really making a statement, but I'm not sure it is not germane.
Rep. Fromuth: I apologize, Mister Speaker. If I may rephrase?
Speaker Jasper: Do so very quickly and succinctly.
Rep. Fromuth: Thank you, Mister Speaker. Would you agree that if divestiture were to take place that the main generation source behind PSNH's power would become natural gas?
Rep. Vose: That's speculation. I could not agree or disagree with that. There are so many complexities in the electricity market, so many variables that we can't really control, that would be hard to predict.
Speaker Jasper: Rep. Fromuth has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The Chair recognizes Rep. Cushing for a parliamentary inquiry.
Rep. Cushing: Thank you, Mister Speaker. Mister Speaker, if I am opposed to broad based taxes and I realize that what SB 221 really represents is a broad based tax of a half a billion dollars imposed upon utility customers of Public Service Company of New Hampshire, would I now vote no and press the red button?
Speaker Jasper: The question is on the committee report on SB 221. If you are in favor, you will press the green button. If you are opposed, you will press the red button. The Chair recognizes Rep. Packard for a parliamentary inquiry.
Rep. Packard: Thank you, Mister Speaker. If I know many of us made a campaign promise to do what we could to control electric cost in this state. If I know the state's ability to attract and retain

business is dependent upon a competitive and stable energy market. If I know that passing this bill today will result in considerable savings to New Hampshire rate payers verses doing nothing. If I know that this is the last and best opportunity to fully deregulate our energy market in New Hampshire. If I know the BIA, the BAE, the chambers of Manchester, Nashua, Dover, and Concord all support this legislation. If I believe this bill will ensure more of our constituents hard-earned money stays in their pockets, would I now press the green button and support the hard work of the Science, Technology and Energy Committee and their vote of 18 to 1 on this very important and complex issue? Thank you.

Speaker Jasper: The question is on the adoption of the committee report on SB 221. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. Voting stations will be open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 308 in the affirmative, 43 in the negative, the committee report is adopted. Rep. Edwards declared a conflict of interest and did not participate.

REGULAR CALENDAR CONT'D

SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth L. Weyler for the Majority of Finance. This bill recognizes that home schooled students are currently attending courses in public schools but there is no state support for this service provided to the public schools. This bill recognizes there is a cost and will fund a home school student at 0.15 of an adequate education grant or $525 per credit for each academic course. The amendment only provides funding for this program if there is budgeted money still available after distribution of adequate education grants to all schools. Vote 13-10.

Rep. Susan M. Ford for the Minority of Finance. The goal of SB 151-FN, providing funding to school districts that have home schooled students enrolled in high school academic courses, is worthy of more study. While the minority would like to support the concept, the bill itself is confusing and needs further study. "The department of education shall only make grant payments for such pupils to the extent of available appropriations." Does this mean that the available monies are calculated from the education trust fund or general funds? Also a survey of NH high schools was incomplete and the fiscal data is incomplete. There are too many questions that have not been answered and the minority cannot support this bill as amended.

Majority Amendment (1948h)

Amend RSA 198:38, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) For the purpose of calculating ADMA, each pupil who is home educated in compliance with RSA 193-A and who is enrolled in a school board approved public high school academic course shall count as an additional 0.15 pupil for each such academic course taken in a public high school. The department of education shall only make grant payments for such pupils to the extent of available appropriations. In this subparagraph, "public high school" shall have the same meaning as "high school" as defined in RSA 194:23.

AMENDED ANALYSIS

This bill allows school districts to count home educated pupils for the purpose of calculating the average daily membership in attendance and makes grant payments for such pupils contingent on available appropriations.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Karen C. Umberger for the Majority of Finance. This bill modifies and updates the language currently in RSA 188-E. This section of the current law refers to the career and technical centers as vocational centers and clarifies how tuition is calculated for sending school districts for students attending a regional career and technical center. There is also established a Career and Technical Education Advisory Council. There is no fiscal impact associated with the changes made. The

amendment incorporates HB 276, which has already passed the house. HB 276 provides a school board that elects not to implement or participate in common core standards the ability to adopt and implement standards of its own that either meet or exceed standards established by the state. This is truly an effort to preserve local control. Vote 13-10.

Rep. Susan M. Ford for the Minority of Finance. This bill modifies the financial responsibility for tuition for career and technical education centers and codifies an advisory council on career and technical education (CTE). This bill is supported by the department of education and the CTE state organization and has the full support of finance division II. At issue is the amendment that the state board not adopt a policy or guideline that requires a school district to implement or participate in the common core standards. Since it is clear that the state board does not require adoption of the common core, and this issue has already been addressed this session, this amendment jeopardizes a bill that will benefit our career and technical education schools.

Majority Amendment (1945h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to payment of costs for career and technical education center programs and administration by the department of education, and providing that school districts shall not be required to adopt the common core standards.

Amend the bill by replacing all after section 13 with the following:

14 State Board of Education; Rulemaking Authority. Amend RSA 186:8, I to read as follows:

I. Minimum curriculum and educational standards for all grades of the public schools***; provided that the state board shall adopt no rule pursuant to RSA 541-A nor shall the state board formally or informally adopt a policy or guideline that requires a school district or any public school to implement or participate in the common core state standards. If a school board elects not to implement or participate in the common core state standards or any other minimum educational standards adopted by the state board pursuant to RSA 541-A or as adopted through state board policy or guidelines for all grades in public schools, the school board shall adopt and implement standards that meet or exceed those standards.***

15 Effective Date.

I. Section 14 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill modifies the determination of financial responsibility for tuition for career and technical education center programs and the administration of CTE programs by the department of education.

This bill also prohibits the state board of education from adopting a rule requiring a school district or any public school to implement the common core state standards. The bill also requires a school board that elects not to implement or participate in the common core state standards or other minimum educational standards to adopt and implement educational standards that meet or exceed those standards.

Rep. Ladd spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 175

YEAS - 164

BELKNAP

Aldrich, Glen	Fields, Dennis	Gallagher, Brian	Howard, Jr., Raymond
Luther, Robert	Spanos, Peter	Tilton, Franklin	Vadney, Herbert

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Sterling, Franklin		

COOS

Fothergill, John | Richardson, Herbert | Rideout, Leon | Tholl, John

GRAFTON

Bailey, Brad | Brown, Duane | Darrow, Stephen | Gionet, Edmond
Hennessey, Erin | Hull, Robert | Ingbretson, Paul | Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Balcom, John | Barry, Richard | Belanger, James | Boehm, Ralph
Byron, Frank | Christie, Rick | Coffey, James | Danielson, David
Donovan, Daniel | Eastman, Eric | Estevez, Eric | Ferreira, Elizabeth
Flanagan, Jack | Fromuth, Bart | Gagne, Larry | Gonzalez, Carlos
Gould, Linda | Goulette, William | Haefner, Robert | Halstead, Carolyn
Hansen, Peter | Hinch, Richard | Hogan, Edith | Hopper, Gary
Infantine, William | Kurk, Neal | LeBrun, Donald | McClarren, Donald
McLean, Mark | Murphy, Keith | Notter, Jeanine | Ober, Lynne
Ober, Russell | Ohm, Bill | Palmer, Barry | Parison, James
Pellegrino, Anthony | Peterson, Ken | Pierce, David | Proulx, Mark
Rice, Kimberly | Rouillard, Claire | Rowe, Robert | Sanborn, Laurie
Seidel, Carl | Shaw, Barbara | Simmons, Tammy | Smith, Gregory
Souza, Kathleen | Sullivan, Victoria | Ulery, Jordan | Wolf, Terry

MERRIMACK

French, Harold | Hess, David | Hill, Gregory | Horn, Werner
Kidder, David | Kuch, Bill | Long, Douglas | Martin, John
McGuire, Dan | Parent, Jason | Walsh, Thomas

ROCKINGHAM

Abrami, Patrick | Abramson, Max | Allen, Mary | Belanger, Ronald
Bush, Carol | Cardon, G. Thomas | Chirichiello, Brian | Christie, Andrew
Cook, Allen | Dean-Bailey, Yvonne | DeSimone, Debra | Devine, James
Duarte, Joe | Emerick, J. Tracy | Ferrante, Beverly | Fesh, Robert
Friel, William | Gannon, William | Gordon, Richard | Green, Dennis
Griffin, Mary | Guthrie, Joseph | Harris, Jeffrey | Hodgdon, Bruce
Hoelzel, Kathleen | Introne, Robert | Katsakiores, Phyllis | Major, Norman
Manning, John | Matthews, Carolyn | McKinney, Betsy | Milz, David
Nigrello, Robert | O'Connor, John | Osborne, Jason | Packard, Sherman
Peckham, Michele | Potucek, John | Prudhomme-O'Brien, Katherine | Rice, Frederick
Schroadter, Adam | Spillane, James | Sweeney, Joe | Sytek, John
True, Chris | Tucker, Pamela | Vose, Michael | Webb, James
Welch, David | Weyler, Kenneth | Woitkun, Steven | Wood, David

STRAFFORD

Beaudoin, Steven | Cheney, Catherine | Groen, Warren | Kaczynski, Jr., Thomas
Knowles, Robert | Leeman, Don | Mullen, John | Pitre, Joseph
Turcotte, Leonard | Wuelper, Kurt

SULLIVAN

Bridge, Ernest | Grenier, James | Laware, Thomas | Rollins, Skip
Smith, Steven

NAYS - 175

BELKNAP

Fisher, Robert | Fraser, Valerie | Hurt, George | Sylvia, Michael
Varney, Peter

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Hunt, John
Johnsen, Gladys
Ley, Douglas
Mann, John
McConnell, Jim
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Biggie, Barbara
Bouldin, Amanda
Brown, Pamela
Burt, John
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Edelblut, Frank
Edwards, Elizabeth
Forest, Armand
Freitas, Mary
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Harvey, Suzanne
Heath, Mary
Jack, Martin
Jeudy, Jean
Lachance, Joseph
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Roberts, Carol
Rosenwald, Cindy
Schleien, Eric
Scontsas, Lisa
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Twombly, Timothy
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Ebel, Karen
French, Barbara
Gile, Mary
Henle, Paul
Hoell, J.R.
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Marple, Richard
McGuire, Carol
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Baldasaro, Alfred
Bates, David
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Chase, Francis
Cushing, Robert
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
McBeath, Rebecca
McMahon, Charles
Moody, Marcia
Oligny, Jeffrey
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Schmidt, Andrew	

and the majority committee amendment failed.
Rep. Edelblut voted Nay and intended to vote Yea.

The question now being adoption of the motion of Ought to Pass.
Motion adopted and ordered to third reading.

SB 191-FN, relative to the use of the state's procurement card services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill allows the department of administrative services to utilize procurement cards to pay for major contract purchases such as salt, oil, gasoline and other commodities where the state has a master contract. The procurement cards would be used on multi state agency contracts issued and managed by the department of administrative services, division of procurement and support services. By using procurement cards as a payment method the department of administrative services (DAS) is anticipating rebates totaling $262,944 in FY 16 and increasing steadily to $1.5 million by FY 2019. Any rebates will initially be placed in a revolving account that is also being requested as part of this legislation. This legislation allows DAS to pay for any costs to administer the procurement card program from the rebates that are deposited into the revolving account. DAS estimates that they will need one new full time position to oversee the program. Funds in the revolving account will be used to pay for these costs, for interests or fees associated with the program and to prevent the payment card program from being shut off due to tardy state agency payments. Any remaining funds generated by the rebates will be returned to the respective funding sources including federal, highway, turnpike and liquor funds. All other rebate revenue after deducting expenses for the program will revert to the general fund. This bill also allows cities, towns, counties and school districts to aggregate their procurement card spend with the state's procurement card spend to qualify for larger rebates. Any such incremental rebates will be forwarded from the procurement card-issuing bank to the respective city, town, county or school district. Vote 21-0.

Amendment (1899h)

Amend RSA 9-D:2, I(b) as inserted by section 4 of the bill by replacing it with the following:

(b) Amounts which represent the added rebate benefit attributable to the consolidation of calculations under contracts allowing for the independent participation of the legislative or judicial branches, or the independent participation of non-state entities under RSA 21-I:17, I-a(a) shall be paid by the card issuer directly to the branches or non-state entities which independently participated in the purchases.

Amend RSA 9-D:3, III(b) as inserted by section 4 of the bill by replacing it with the following:

(b) After deducting the foregoing amounts, making such payments, if any, that the department of administrative services concludes are appropriately payable:

(1) By an entity which is part of the state to any credit, payment, or procurement card issuer under contracts secured by the division of procurement and support services pursuant to RSA 21-I, including but not limited to payments for purchases and payments which must be made in order for the state to obtain available rebates, or to avoid incurring, or to pay, interest, penalties, or other costs imposed on the state by issues of credit, payment, or procurement cards.

(2) To the state's general fund or any federal, highway, turnpike, or liquor fund, as a share of rebates obtained on credit card contracts under RSA 9-D:2. The department of administrative services shall pay any remaining rebate amounts to the general fund.

Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.
Committee amendment adopted.
Committee report adopted and ordered to third reading.

SB 124-FN, relative to filing felonies first in the superior court. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Claire A. Rouillard for Judiciary. As amended, this bill provides that all felony complaints, along with misdemeanors and violations directly related to those felonies, shall be filed exclusively with the superior court. This project, known as "felonies first" will manage the flow of felony cases from initiation of the charge through disposition. Currently, the lower circuit court has no jurisdiction to

dispose of felony charges. This means that cases are first processed in circuit court then re-filed in the superior court. "Felonies first" will eliminate the circuit court duplicative process, resulting in cost savings for the courts, counties, attorneys and litigants, as well as bring closure to victims of crime more quickly. This bill provides a more effective process from the initial charges through resolution, while maintaining justice for the accused. The accused will no longer have to wait for discovery. This bill provides that discovery in the hands of the prosecutor shall be provided to the defendant within 10 days for incarcerated defendants and within 20 days for non-incarcerated defendants. If discovery is not provided within this timeframe a probable cause hearing shall be scheduled. The defendant, in other circumstances, may also request a probable cause hearing in superior court. The state shall have a continuing obligation to provide discovery to defendants as it becomes available. Additionally, upon a plea of not guilty, a dispositional hearing shall be scheduled, with the ability to resolve the case earlier. There will also be an increase in video conferences between jails, courts and police departments, eliminating time and travel for all involved. This bill also provides for psychiatric evaluations of persons who are charged, along with drug or alcohol dependency examinations. The roll out of this project will be in three counties: Strafford and Cheshire county superior courts on January 1, 2016, and in Belknap county superior court beginning July 1, 2016. The judicial council will complete an annual report on the cost and effectiveness of this project beginning July 1, 2017. It is predicted by the judicial branch that there will be no fiscal impact on state, county and local revenue. Vote 20-0.

Amendment (1824h)

Amend RSA 592-B:2, I as inserted by section 2 of the bill by replacing it with the following:

I. Beginning January 1, 2016, the felonies first project shall become effective in the Cheshire county and Strafford county superior courts. Beginning July 1, 2016, the felonies first project shall become effective in Belknap county superior court.

Amend RSA 592-B, II as inserted by section 2 of the bill by replacing it with the following:

(b) Carroll county superior court.

Amend RSA 592-B:2, VI as inserted by section 2 of the bill by replacing it with the following:

VI. Prior to the implementation of this chapter in counties other than Cheshire county, Strafford county, and Belknap county, the judicial council shall issue a report on the implementation of this chapter to the senate president, the speaker of the house of representatives, and the chairpersons of the senate and house judiciary committees. The judicial council shall survey the municipalities and counties affected by the felonies first project in order to obtain cost and effectiveness opinions. The judicial council shall evaluate the number of probable cause hearings requested, waived, denied, and held, and the final disposition of each probable cause hearing held. The judicial council shall also evaluate the number of discovery depositions requested, denied, and approved. Beginning July 1, 2017 and ending in January 2020, the judicial council shall issue an annual report on its recommendations and the implementation of this chapter to the senate president, the speaker of the house of representatives, and the chairpersons of the senate and house judiciary committees.

Amend RSA 592-B:6 as inserted by section 2 of the bill by replacing it with the following:

592-B:6 Discovery.

I. Prior to indictment, the accused shall have the same rights to discovery and deposition as the accused has subsequent to indictment, provided that all judicial proceedings with respect thereto shall be within the jurisdiction of the superior court, and notice of petition and hearing shall be given to the county attorney, or to the attorney general if the attorney general shall have entered the case.

II. For incarcerated defendants, the state shall provide or make available to defense counsel, or directly to the defendant if he or she is not represented by an attorney, copies of all discovery in its possession, no more than 10 calendar days after the arraignment of the defendant, unless otherwise ordered by the court. For non-incarcerated defendants, the state shall provide or make available to defense counsel, or directly to the defendant if he or she is not represented by an attorney, copies of all discovery in its possession, no more than 20 calendar days after the arraignment of the defendant, unless otherwise ordered by the court. The state may request an extension of the discovery deadlines for complex case types.

III. The court may, upon motion, authorize the delay of the provision of discovery materials to the defense. Under such circumstances, the court shall make findings in support of its order and shall set a new date for the provision of such materials to the defense.

IV. If the court has determined that discovery has not been provided pursuant to the timeline established in RSA 592-B:6, II or III, and the defendant has not been indicted, the court shall schedule a probable cause hearing without unreasonable delay as a matter of right.

V. The state shall have a continuing obligation to provide discovery to defendants as it becomes available.

Amend RSA 592-B:7, II as inserted by section 2 of the bill by replacing it with the following:

II. Upon review of the motion, the court shall determine whether a hearing is necessary to assist the court in its determination of probable cause. The court shall not unreasonably deny a request for a hearing. If a hearing is scheduled, it shall be held as soon as the court docket permits, but in any event within 10 days of the filing of the motion if the defendant is incarcerated and within 20 days of the filing of the motion if the defendant is not incarcerated.

Amend RSA 592-B:7, IV as inserted by section 2 of the bill by replacing it with the following:

IV. If a hearing is held, the state shall bear the burden of proving there is probable cause to believe that a felony has been committed and that the person charged has committed it. At the hearing, the defendant may call witnesses, cross-examine witnesses, and present evidence.

Amend RSA 592-B as inserted by section 2 of the bill by inserting after section 7 the following:

592-B:8 Dispositional Conference. Upon entry of a plea of not guilty, the case shall be scheduled for a dispositional conference in accordance with superior court rules.

Amend the bill by replacing section 17 with the following:

17 Application; Contingency. This act shall take effect on January 1, 2016 in Cheshire county and Strafford county and on July 1, 2016 in Belknap county. This act shall take effect in the remaining counties as of the date set forth in an order of the supreme court as provided for in RSA 592-B:2, II, which order shall be issued at least 90 days prior to the effective date of the act in a particular county. The repeals in section 16 of this act shall take effect on the date on which this act is effective for all counties. In addition to such other notice as the supreme court deems necessary, the court shall send copies of its orders implementing this act in counties other than Cheshire, Strafford, and Belknap to the secretary of state and the director of legislative services.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Hoell spoke against.

MOTION TO LAY ON THE TABLE

Rep. Ammon moved that **SB 124-FN,** relative to filing felonies first in the superior court, be laid on the table.

On a division vote, 138 members having voted in the affirmative and 204 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Rouillard spoke in favor.

Rep. Abramson spoke against and requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 127

YEAS - 212

BELKNAP

Fields, Dennis	Gallagher, Brian	Tilton, Franklin	Vadney, Herbert

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	McCarthy, Frank
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce

COOS

Fothergill, John	Froburg, Alethea	Moynihan, Wayne	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Brown, Pamela
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Danielson, David
DiSilvestro, Linda
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Harvey, Suzanne
Heath, Mary
Hinch, Richard
Hopper, Gary
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McClarren, Donald
McLean, Mark
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Snow, Kendall
Takesian, Charlene
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Horn, Werner
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Parent, Jason
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
Cushing, Robert
DeSimone, Debra
DiFranco, Debbie
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Griffin, Mary
Guthrie, Joseph
Heffron, Frank
Hoelzel, Kathleen
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Sytek, John
Vose, Michael
Ward, Gerald
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Kaen, Naida
Leeman, Don
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 127

BELKNAP

Aldrich, Glen	Fisher, Robert	Fraser, Valerie	Howard, Jr., Raymond
Hurt, George	Luther, Robert	Spanos, Peter	Sylvia, Michael
Varney, Peter			

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McConkey, Mark
Parker, Harold	Wright, Ted		

CHESHIRE

McConnell, Jim	Tilton, Benjamin		

COOS

Richardson, Herbert	Rideout, Leon	Theberge, Robert	

GRAFTON

Bailey, Brad	Brown, Duane	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric		

HILLSBOROUGH

Ammon, Keith	Belanger, James	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Burt, John	Byron, Frank	Christiansen, Lars
Christie, Rick	Coffey, James	Cote, David	Donovan, Daniel
Eastman, Eric	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Fromuth, Bart	Gorman, Mary	Gould, Linda
Goulette, William	Hansen, Peter	Hogan, Edith	Lachance, Joseph
LeBrun, Donald	Murphy, Keith	Notter, Jeanine	Ohm, Bill
Parison, James	Rice, Kimberly	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Soucy, Timothy
Souza, Kathleen	Sullivan, Daniel	Sullivan, Victoria	Twombly, Timothy
Zaricki, Nick			

MERRIMACK

Brewster, Michael	Deloge, Helen	French, Harold	Hill, Gregory
Hoell, J.R.	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Patten, Dick
Seaworth, Brian	Turcotte, Alan		

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Bush, Carol	Cali-Pitts, Jacqueline	Christie, Andrew	Dean-Bailey, Yvonne
Duarte, Joe	Friel, William	Gannon, William	Gordon, Pamela
Gordon, Richard	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis
Kellogg, Shem	McBeath, Rebecca	McMahon, Charles	Oligny, Jeffrey
Osborne, Jason	Potucek, John	Schroadter, Adam	Spillane, James
True, Chris	Tucker, Pamela	Wood, David	

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Groen, Warren	Hannon, Joseph
Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Mullen, John	Turcotte, Leonard	Whitehouse, Joshua	

SULLIVAN

Bridge, Ernest	Laware, Thomas	O'Hearne, Andrew	Rollins, Skip

and the committee report was adopted and ordered to third reading.

SB 240, protecting certified public accountants from prosecution or penalty for providing services to alternative treatment centers. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Eric P. Estevez for the Majority of Judiciary. This bill provides exemption of license revocation or suspension or other penalty by the state accounting board for certified public accountants who must file certified financial statements with the government for medical marijuana facilities. Therapeutic cannabis centers are required to provide certified financial statements as part of their record keeping. This bill enables CPAs to legally fulfill that required duty. Vote 11-9.

Rep. Charlene F. Takesian for the Minority of Judiciary. This bill is another effort to provide immunity in the law for a special group – CPAs that perform legal and ethical work for an alternative treatment center. Accountants came before the committee to testify that they were concerned that the New Hampshire Board of Accountancy would subject them to some kind of "penalty" for doing work for the treatment centers, although no witness could identify a single CPA anywhere in the United States that has been arrested or sanctioned by his/her licensing board for such professional work. The minority of the judiciary committee felt that since the certified alternative treatment centers are legal in the State of New Hampshire, there would be no reason to expect that any CPA would be arrested or sanctioned for providing their services to a legal, certified business.

MOTION TO LAY ON THE TABLE

Rep. Rowe moved that **SB 240,** protecting certified public accountants from prosecution or penalty for providing services to alternative treatment centers, be laid on the table.

Motion adopted.

Rep. Robert Walsh declared a conflict of interest and did not participate.

REGULAR CALENDAR CONT'D

SB 133-FN, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Tammy A. Simmons for the Majority of Labor, Industrial and Rehabilitative Services. This bill, as amended, removes language that requires workers compensation insurance carriers to pay the full amount billed by a provider, regardless of how inflated that bill may be and instead only requires that the carrier pay the 'reasonable value' of medical services. The amended version of the bill puts in place the criteria the department of labor is to consider when determining the reasonableness of the charge being disputed. The criteria the department of labor is to consider includes: a guideline range of reasonable charges developed and published by the NH insurance department of 85 of the most common worker's compensation medical services, compiled using the average payments of NH general healthcare, NH workers' compensation, New England region workers' compensation, and national workers' compensation; catastrophic injury; practice type, and geographic location of the provider. While the majority of the committee would prefer that the market address the rising cost of workers' compensation services, they agreed that many years have been spent on data collection and studying the issue and that now is the time to do something to reduce the rising worker's compensation costs on employers. NH mandates that the employer purchase insurance for its employees, mandates that the injured worker choose which provider they go to, and mandates that the carrier pay whatever they are charged. This is NOT the free market. The NH insurance department worked with the amendment sponsor at length to insure that the guidelines would not adversely affect access to care for the injured worker. Protocols were added to allow the insurance commissioner to amend the guidelines if there was evidence of access issues. The bill also includes a study committee to review administrative procedures for worker's compensation claims in hopes of reducing the burden on providers. Vote 10-8.

Rep. Douglas A. Ley for the Minority of Labor, Industrial and Rehabilitative Services. This bill is a solution in search of a problem. Workers compensation insurance rates in New Hampshire have been declining for a number of years, and further the medical costs that the majority is concerned about have been flat or declined in recent years. Worse though, this bill inserts the State of New Hampshire into the business relationship that exists between medical providers and employers or insurance companies. It completely undermines any market mechanisms by imposing a fee schedule disguised as a guideline. Establishing maximum payable amounts eliminates any incentive for providers or insurers to negotiate and contract with each other. The result of this price fixing may very well reduce the number of providers willing to treat injured workers;

therefore reducing availability of medical care for the very people the workers compensation system exists to serve. The amendment passed by the majority was developed in consultation with a select set of interested parties but minimized the input of providers and entirely neglected any consultation with those for whom the workers compensation system exists. The minority is also deeply concerned about the data that is being used to establish public policy. The bill creates a fee schedule based on data provided by a private entity that serves insurance companies. That data is troublingly incomplete. There is no requirement for any insurer to report data and 35-40% of New Hampshire workers compensation data is currently not reported, nor does the bill address the problem. Further, the data is proprietary and not subject to any review or testing and not publicly available. The minority believes that data used to establish public policy should be transparent, complete, and open to public inspection, particularly in a state that prides itself on the public's 'right to know.' On this matter, Charlie Arlinghaus wrote "in truth the government setting prices is never the right solution to a problem." We agree.

Majority Amendment (1936h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to medical costs paid under workers' compensation.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Purpose. After considering the work of the governor's commission to recommend reforms to reduce workers' compensation medical costs, the workers' compensation advisory council, and analysis by the insurance department, the general court has determined that overall workers' compensation costs in New Hampshire are among the highest in the country and further, that medical costs under workers' compensation are high in comparison to workers' compensation medical costs in the region and countrywide, and to health care costs in New Hampshire. Therefore, as a result of this determination, the general court hereby develops a process to reduce these costs.

2 Workers' Compensation; Payment for Reasonable Value of Services. RSA 281-A:24, I is repealed and reenacted to read as follows:

I.(a) The employer or the employer's insurance carrier shall pay the reasonable value of medical services provided under this chapter.

(b) The insurance commissioner shall develop and publish a schedule representing the maximum reasonable value of medical services using the methodology shown in RSA 281-A:24, VI.

(c) An employer or the employer's insurance carrier may enter into agreements with medical health care providers to determine the value of medical services. Values as determined by such agreements satisfy the reasonable value of medical services standard set forth in this paragraph.

(d) Effort shall be made to resolve any dispute as to the reasonable value of service prior to applying to the commissioner for resolution of such a dispute. Whenever an injured employee receives medical and hospital service or other remedial care under the provisions of this chapter and a dispute arises between the employer or the employer's insurance carrier and the person, firm, or corporation rendering such service or care as to the reasonable value of the service or care, the commissioner shall have exclusive jurisdiction to determine the reasonable value of such service or care. The commissioner shall consider the maximum value of medical services standard as set forth in subparagraph (b) and shall consider catastrophic injury, practice type, and geographic location as appropriate when making a finding as to the reasonable value of medical services under this paragraph. The health care provider shall have the burden of establishing that the amount it accepts for payment for any medical service is reasonable by a preponderance of the evidence.

(e) Any interested party may petition for a hearing and all interested parties shall be entitled to notice and hearing if it is determined that all reasonable efforts to resolve the dispute have failed. The commissioner or the commissioner's authorized representative shall make a finding as to the reasonable value of such services or care rendered. Any party aggrieved by such a finding may appeal to the compensation appeals board under RSA 281-A:43.

3 Workers' Compensation; Payment for Reasonable Value of Services. Amend RSA 281-A:24, VI to read as follows:

V. The commissioner shall assess a civil penalty not to exceed $2,500 ***on any health care provider*** for violations of this section which are willful or which demonstrate a pattern of improperly charging or overcharging employers or workers' compensation insurers.

4 New Paragraph; Workers' Compensation; Reasonable Value of Medical Services; Schedule. Amend RSA 281-A:24 by inserting after paragraph V the following new paragraph:

VI. The maximum reasonable value of medical services under this section shall be determined as follows:

(a) Annually by November 1, the insurance department shall establish a list of current procedural terminology (CPT) or other applicable codes representing approximately 85 percent of the total number of medical services provided under workers' compensation insurance in the previous service year. This list shall be developed using insurer workers' compensation medical payment data by physician, hospital, and ambulatory surgical center categories but excluding hospital inpatient, as reported in the National Council on Compensation Insurance (NCCI) Medical Data Report.

(b) For each of the codes on the list established under subparagraph (a), the insurance department shall develop and publish, by December 31, a value for the maximum reasonable value of that medical service, based on an average of the following:

(1) The average health care allowed claim amount for that code developed by using the comprehensive health care information system established in RSA 420-G:11-a. The health care allowed claim amount is equal to the plan paid amount plus the member sharing components that include co-pays, coinsurance, and deductibles.

(2) The average payment for that code made under workers' compensation insurance in New Hampshire as reported by NCCI.

(3) The average payment for that code made under workers' compensation insurance in the New England region as reported by NCCI.

(4) The average payment for that code made under workers' compensation insurance countrywide as reported by NCCI.

(c) The maximum reasonable value of service for any code shall not be less than 125 percent of the average health care allowed claim amount for that code or the category differential developed under subparagraph (b), whichever is greater. The maximum reasonable value of service for any code shall not be greater than 175 percent of the average health care allowed claim amount for that code. However, in no case shall the maximum reasonable value of services for any code exceed the average under subparagraph (b)(2).

(d) The insurance commissioner shall adjust the maximum reasonable values if the advisory council on workers' compensation has determined that access to medical services has been negatively affected through its annual review established under subparagraph (i).

(e) The insurance department shall further establish and publish, concurrently with the schedule established in subparagraph (b), a factor representing the differential between average health care allowed claims amounts and workers' compensation maximum reasonable value of medical services amounts as established under subparagraph (b), to be used for those medical services not included in the list of physician, hospital, and ambulatory surgical center codes established under subparagraph (a).

(f) The commissioner and the insurance commissioner shall adopt rules under RSA 541-A as may be necessary to properly administer this paragraph.

(g) Regardless of the date of injury, payment for medical services shall be based on the payment rates in this paragraph in effect on the date on which the medical service is provided.

(h) The amount the provider accepts for payment shall be equivalent for each type of medical service regardless of whether the payer is an insurer or a self-insured.

(i) The advisory council on workers' compensation, established under RSA 281-A:62, shall include in its annual review of the performance of the workers' compensation system an assessment of worker access to providers. If worker access to providers has been negatively affected, the advisory council on workers' compensation will make the recommendation to the insurance commissioner to raise the maximum reasonable values.

5 Insurance; Comprehensive Health Care Information System. Amend RSA 420-G:11-a, I to read as follows:

I. The department and the department of health and human services shall enter into a memorandum of understanding for collaboration in the development of a comprehensive health care information system. The memorandum of understanding shall include a description of the data sets that will be included in the comprehensive health care information system, the criteria and procedures for the development of limited use data sets, the criteria and procedures to ensure that Health Insurance Portability and Accountability Act of 1996 (HIPAA) compliant limited use data sets are accessible, and a proposed time frame for the creation of a comprehensive health care information system. To the extent allowed by HIPAA, the data shall be available as a resource for insurers,

employers, providers, purchasers of health care, and state agencies to continuously review health care utilization, expenditures, and performance in New Hampshire and to enhance the ability of New Hampshire consumers and employers to make informed and cost-effective health care ***and workers' compensation*** choices. ***The data shall be available as a resource to the department in complying with RSA 281-A:24.*** In presenting data for public access, comparative considerations shall be made regarding geography, demographics, general economic factors, and institutional size. Notwithstanding HIPAA or any other provision of law, the comprehensive health care information system shall not include or disclose any data that contains direct personal identifiers. For the purposes of this section, "direct personal identifiers" include information relating to an individual that contains primary or obvious identifiers, such as the individual's name, street address, e-mail address, telephone number, and social security number.

6 Committee Established.

I. There is established a committee to study ways to reduce paperwork or otherwise improve the administrative processes used in the processing of workers' compensation claims. The members of the committee shall be as follows:

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall study methods, including electronic submission, to reduce the paperwork and other administrative burdens inherent on health care providers, employers, insurers and self-insureds in the current process for the administration of workers' compensation claims.

IV. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

V. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2016.

7 Effective Date. This act shall take effect July 1, 2015.

AMENDED ANALYSIS

This bill requires the insurance department to develop and publish a schedule representing the maximum reasonable value of medical services to achieve savings under the workers' compensation law.

Reps. Dan McGuire, Groen and White spoke against.

Rep. Rideout spoke in favor.

Rep. Infantine spoke in favor and yielded to questions.

Rep. Goley requested a roll call; sufficiently seconded.

YEAS 132 - NAYS 198

YEAS - 132

BELKNAP

Aldrich, Glen	Fields, Dennis	Fisher, Robert	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	Spanos, Peter	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

CHESHIRE

Hunt, John	Phillips, Larry	Sterling, Franklin

COOS

Richardson, Herbert	Rideout, Leon	Tholl, John	Thomas, Yvonne

GRAFTON

Bailey, Brad
Bennett, Travis
Brown, Duane
Cooney, Mary
Gionet, Edmond
Hennessey, Erin
Johnson, Eric
Ladd, Rick
Piper, Wendy

HILLSBOROUGH

Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Coffey, James
Edelblut, Frank
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Gould, Linda
Goulette, William
Haefner, Robert
Hinch, Richard
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
McClarren, Donald
McLean, Mark
Murphy, Keith
Notter, Jeanine
Ohm, Bill
Pellegrino, Anthony
Pierce, David
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
Hess, David
Hill, Gregory
Hoell, J.R.
Kuch, Bill
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Baldasaro, Alfred
Bates, David
Borden, David
Bush, Carol
Chase, Francis
Chirichiello, Brian
Christie, Andrew
DeSimone, Debra
Duarte, Joe
Emerick, J. Tracy
Fesh, Robert
Gannon, William
Griffin, Mary
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Manning, John
Matthews, Carolyn
O'Connor, John
Packard, Sherman
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Spillane, James
Sytek, John
True, Chris
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Turcotte, Leonard
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest
Rollins, Skip
Smith, Steven

NAYS - 198

BELKNAP

Fraser, Valerie
Luther, Robert
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Johnsen, Gladys
Ley, Douglas
McConnell, Jim
Pearson, William
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Fothergill, John
Froburg, Alethea
Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Almy, Susan
Darrow, Stephen
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Hull, Robert
Ingbretson, Paul
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Ammon, Keith
Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Bouldin, Amanda
Brown, Pamela
Christie, Rick
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Ferreira, Elizabeth
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Guerette, C. Lee
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Hogan, Edith
Hopper, Gary
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
O'Brien, Michael
O'Neil, William
Ober, Russell
Parison, James
Peterson, Ken
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Sanborn, Laurie
Schleien, Eric
Shattuck, Gilman
Shaw, Barbara
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Horn, Werner
Karrick, David
Kenison, Linda
Luneau, David
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Moffett, Howard
Myler, Mel
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Belanger, Ronald
Berrien, Skip
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Cook, Allen
Cushing, Robert
Dean-Bailey, Yvonne
Devine, James
DiFranco, Debbie
Ferrante, Beverly
Francese, Paula
Friel, William
Gordon, Pamela
Green, Dennis
Guthrie, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Kellogg, Shem
Major, Norman
McBeath, Rebecca
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
Oligny, Jeffrey
Osborne, Jason
Pantelakos, Laura
Peckham, Michele
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Tasker, Kyle
Tucker, Pamela
Vose, Michael
Ward, Gerald
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Groen, Warren
Hannon, Joseph
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Schmidt, Andrew		

and the majority committee amendment failed.

The question now being adoption of the minority committee report of Ought to Pass.
Rep. Dan McGuire offered floor amendment (2009h).

Floor Amendment (2009h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to certain health care data, certain workers' compensation medical claim data collected by the insurance department, and medical costs paid under workers' compensation.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Development of a Comprehensive Health Care Information System. Amend RSA 420-G:11-a by inserting after paragraph II the following new paragraph:

III. The department shall make available to the public a public use data set for purposes of facilitating transparency in health care costs.

2 New Section; Advisory Organizations; Required Activity. Amend RSA 412 by inserting after section 37-a the following new section:

412:37-b Advisory Organizations; Required Activity. The commissioner shall consult with workers' compensation advisory organizations, workers' compensation carriers, and third party administrators or self-insureds regarding the most effective options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system, as defined under RSA 420-G:11-a. The commissioner shall make a report with recommendations on options for including workers' compensation medical claims data in the New Hampshire comprehensive health information system on or before December 1, 2015 to the speaker of the house of representatives, the president of the senate, the governor. and the chairpersons of the house and senate committees having jurisdiction over health and human services.

3 Workers' Compensation; Payment for Reasonable Value of Services. RSA 281-A:24, I is repealed and reenacted to read as follows:

I.(a) The employer or the employer's insurance carrier shall pay the reasonable value of medical services provided under this chapter.

(b) The health care provider shall have the burden of establishing that its bill for services is reasonable.

(c) Effort shall be made to resolve any dispute as to the reasonable value of service prior to applying to the commissioner for resolution of such a dispute.

(d) Whenever an injured employee receives medical or hospital service or other remedial care under the provisions of this chapter and a dispute arises between the employer or the employer's insurance carrier and the person, firm, or corporation rendering such service or care as to the reasonable value of the service or care, the commissioner shall have exclusive jurisdiction to determine the reasonable value of such service or care. Any interested party may petition for a hearing and all interested parties shall be entitled to notice and hearing if it is determined that all reasonable efforts to resolve the dispute have failed.

(e) The commissioner or the commissioner's authorized representative shall make a finding as to the reasonable value of such services or care rendered.

(f) Any party in interest aggrieved by such a finding may appeal to the compensation appeals board under RSA 281-A:43.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the insurance commissioner to consult with certain groups and organizations and to make a report by December 2015 to the legislature and the governor with recommendations on options for including workers' compensation data in the New Hampshire comprehensive health information system.

This bill also clarifies certain payments for medical costs under workers' compensation.

Rep. Dan McGuire spoke in favor.

Rep. Ley spoke in favor and yielded to questions.
Rep. Infantine spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 231 - NAYS 100

YEAS - 231

BELKNAP

Aldrich, Glen	Gallagher, Brian	Howard, Jr., Raymond	Vadney, Herbert
Varney, Peter			

CARROLL

Buco, Thomas	Butler, Edward	Comeau, Ed	Cordelli, Glenn
Ticehurst, Susan			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	McConnell, Jim	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin		

COOS

Froburg, Alethea	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Martha
Higgins, Patricia	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Smith, Suzanne
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Balcom, John	Baroody, Benjamin
Beaulieu, Jane	Bouldin, Amanda	Brown, Pamela	Burt, John
Byron, Frank	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Cote, David	Danielson, David	DiSilvestro, Linda	Donovan, Daniel
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Forest, Armand	Freitas, Mary	Fromuth, Bart	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Goulette, William
Guerette, C. Lee	Hansen, Peter	Harvey, Suzanne	Heath, Mary
Hopper, Gary	Jack, Martin	Jeudy, Jean	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McLean, Mark
Murphy, Keith	Notter, Jeanine	O'Brien, Michael	O'Neil, William
Ohm, Bill	Parison, James	Peterson, Ken	Pierce, David
Porter, Marjorie	Proulx, Mark	Roberts, Carol	Rosenwald, Cindy
Sanborn, Laurie	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Twombly, Timothy	Ulery, Jordan
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hoell, J.R.
Karrick, David	Kenison, Linda	Kuch, Bill	Luneau, David
MacKay, James	Martin, John	McGuire, Carol	McGuire, Dan
Moffett, Howard	Myler, Mel	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Baldasaro, Alfred
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
Cushing, Robert
DiFranco, Debbie
Emerick, J. Tracy
Ferrante, Beverly
Francese, Paula
Gordon, Pamela
Gordon, Richard
Green, Dennis
Guthrie, Joseph
Harris, Jeffrey
Heffron, Frank
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
McBeath, Rebecca
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
Oligny, Jeffrey
Osborne, Jason
Pantelakos, Laura
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Spillane, James
Sweeney, Joe
Tasker, Kyle
Tucker, Pamela
Vose, Michael
Ward, Gerald
Webb, James
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Groen, Warren
Hannon, Joseph
Horrigan, Timothy
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew

NAYS - 100

BELKNAP

Fields, Dennis
Fisher, Robert
Fraser, Valerie
Hurt, George
Luther, Robert
Spanos, Peter
Tilton, Franklin

CARROLL

Avellani, Lino
Chandler, Gene
McCarthy, Frank
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
Sterling, Franklin

COOS

Fothergill, John
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Hennessey, Erin
Ladd, Rick
Piper, Wendy

HILLSBOROUGH

Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Christensen, Chris
Christie, Rick
Coffey, James
Eastman, Eric
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Haefner, Robert
Hinch, Richard
Hogan, Edith
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
McClarren, Donald
Ober, Lynne
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Schleien, Eric
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Sullivan, Victoria
Takesian, Charlene
Zaricki, Nick

MERRIMACK

French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Marple, Richard
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abramson, Max
Bush, Carol
Christie, Andrew
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Fesh, Robert
Friel, William
Gannon, William
Griffin, Mary
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
O'Connor, John
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sytek, John
True, Chris
Welch, David

STRAFFORD

Bickford, David
Jones, Laura
Mullen, John
Sprague, Dale
Turcotte, Leonard

SULLIVAN

Smith, Steven

and floor amendment (2009h) was adopted.

MOTION TO LAY ON THE TABLE

Rep. Simmons moved that **SB 133-FN,** relative to certain health care data, certain workers' compensation medical claim data collected by the insurance department, and medical costs paid under workers' compensation, be laid on the table.

Rep. White requested a roll call; sufficiently seconded.

YEAS 108 - NAYS 223

YEAS - 108

BELKNAP

Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Hurt, George
Luther, Robert
Spanos, Peter
Tilton, Franklin
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Sterling, Franklin

COOS

Fothergill, John
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bennett, Travis
Gionet, Edmond
Hull, Robert
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Boehm, Ralph
Christie, Rick
Coffey, James
Eastman, Eric
Ferreira, Elizabeth
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Haefner, Robert
Hansen, Peter
Hinch, Richard
Hogan, Edith
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
McClarren, Donald
Notter, Jeanine
Ober, Lynne
Ober, Russell
Ohm, Bill
Pellegrino, Anthony
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Abramson, Max
Bush, Carol
Chase, Francis
Christie, Andrew
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Katsakiores, Phyllis
Kolodziej, Walter
Major, Norman
Manning, John
Matthews, Carolyn
O'Connor, John
Osborne, Jason
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Sytek, John
True, Chris
Tucker, Pamela
Vose, Michael
Welch, David

STRAFFORD

Bickford, David
Cheney, Catherine
Jones, Laura
Sprague, Dale
Turcotte, Leonard

SULLIVAN

Bridge, Ernest
Smith, Steven

NAYS - 223

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Vadney, Herbert

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Cordelli, Glenn
McCarthy, Frank
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
McConnell, Jim
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin

COOS

Froburg, Alethea
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Brown, Duane
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ingbretson, Paul
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Biggie, Barbara
Bouldin, Amanda
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Estevez, Eric
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Guerette, C. Lee
Harvey, Suzanne
Heath, Mary
Hopper, Gary
Infantine, William
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McLean, Mark

Murphy, Keith
Peterson, Ken
Roberts, Carol
Snow, Kendall
Walsh, Robert
O'Brien, Michael
Pierce, David
Rosenwald, Cindy
Soucy, Timothy
Williams, Kermit
O'Neil, William
Porter, Marjorie
Shattuck, Gilman
Sullivan, Daniel
Wolf, Terry
Parison, James
Proulx, Mark
Shaw, Barbara
Vann, Ivy
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carson, Clyde
French, Barbara
Karrick, David
MacKay, James
Moffett, Howard
Rogers, Katherine
Shurtleff, Stephen
Bartlett, Christy
Deloge, Helen
Gile, Mary
Kenison, Linda
Martin, John
Myler, Mel
Saunderson, George
Turcotte, Alan
Bradley, Paula
Ebel, Karen
Henle, Paul
Kuch, Bill
McGuire, Carol
Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane
Brewster, Michael
Frazer, June
Hoell, J.R.
Luneau, David
McGuire, Dan
Rice, Harold (Chip)
Seaworth, Brian
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cali-Pitts, Jacqueline
Cushing, Robert
Fesh, Robert
Heffron, Frank
Kellogg, Shem
Milz, David
Packard, Sherman
Simpson, Alexis
Ward, Gerald
Wood, David
Allen, Mary
Berrien, Skip
Cardon, G. Thomas
DiFranco, Debbie
Francese, Paula
Introne, Robert
Lovejoy, Patricia
Moody, Marcia
Pantelakos, Laura
Spillane, James
Webb, James
Baldasaro, Alfred
Borden, David
Chirichiello, Brian
Emerick, J. Tracy
Gordon, Pamela
Itse, Daniel
McBeath, Rebecca
Nigrello, Robert
Rice, Frederick
Sweeney, Joe
Weyler, Kenneth
Bates, David
Cahill, Michael
Cook, Allen
Ferrante, Beverly
Green, Dennis
Kappler, Lawrence
McMahon, Charles
Oligny, Jeffrey
Sherman, Thomas
Tasker, Kyle
Woitkun, Steven

STRAFFORD

Baber, William
Cilley, Jacalyn
Horrigan, Timothy
Leeman, Don
Schmidt, Peter
Stevens, Audrey
Beaudoin, Steven
DiSesa, Len
Kaczynski, Jr., Thomas
Mullen, John
Smith, Marjorie
Verschueren, James
Bixby, Peter
Groen, Warren
Kaen, Naida
Pitre, Joseph
Southworth, Thomas
Wall, Janet
Burton, Wayne
Hannon, Joseph
Knowles, Robert
Rollo, Deanna
Spang, Judith
Wuelper, Kurt

SULLIVAN

Cloutier, John
Grenier, James
Oxenham, Lee
Converse, Larry
Irwin, Virginia
Rollins, Skip
Gagnon, Raymond
Laware, Thomas
Schmidt, Andrew
Gottling, Suzanne
O'Hearne, Andrew

and the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Simmons requested a roll call; sufficiently seconded.

YEAS 264 - NAYS 67

YEAS - 264

BELKNAP

Aldrich, Glen
Hurt, George
Varney, Peter
Fields, Dennis
Luther, Robert
Gallagher, Brian
Spanos, Peter
Howard, Jr., Raymond
Vadney, Herbert

CARROLL

Buco, Thomas
McCarthy, Frank
Butler, Edward
Ticehurst, Susan
Comeau, Ed
Cordelli, Glenn

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	McConnell, Jim	Pearson, William
Phillips, Larry	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Tilton, Benjamin		

COOS

Froburg, Alethea	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Duane	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Higgins, Patricia
Hull, Robert	Ingbretson, Paul	Ladd, Rick	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Brown, Pamela	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Coffey, James	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand
Freitas, Mary	Fromuth, Bart	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Gould, Linda
Goulette, William	Guerette, C. Lee	Harvey, Suzanne	Heath, Mary
Hinch, Richard	Hopper, Gary	Infantine, William	Jack, Martin
Jeudy, Jean	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McLean, Mark
Murphy, Keith	O'Brien, Michael	O'Neil, William	Parison, James
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire	Sanborn, Laurie
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Takesian, Charlene	Twombly, Timothy
Vann, Ivy	Walsh, Robert	Williams, Kermit	Wolf, Terry
Woodbury, David	Zaricki, Nick		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hoell, J.R.	Karrick, David	Kenison, Linda	Kuch, Bill
Luneau, David	MacKay, James	Martin, John	McGuire, Carol
McGuire, Dan	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Seaworth, Brian	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Cushing, Robert	DiFranco, Debbie
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Francese, Paula

Gannon, William
Gordon, Pamela
Gordon, Richard
Green, Dennis
Griffin, Mary
Harris, Jeffrey
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Lovejoy, Patricia
Manning, John
McBeath, Rebecca
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
Oligny, Jeffrey
Osborne, Jason
Pantelakos, Laura
Rice, Frederick
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Spillane, James
Sweeney, Joe
Sytek, John
Tasker, Kyle
Tucker, Pamela
Ward, Gerald
Webb, James
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Beaudoin, Steven
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Groen, Warren
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Rollins, Skip

NAYS - 67

BELKNAP

Fisher, Robert
Fraser, Valerie
Tilton, Franklin

CARROLL

Avellani, Lino
Chandler, Gene
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Roberts, Kris
Sterling, Franklin

COOS

Fothergill, John
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Christie, Rick
Gagne, Larry
Haefner, Robert
Hansen, Peter
Hogan, Edith
Kurk, Neal
McClarren, Donald
Notter, Jeanine
Ober, Lynne
Ober, Russell
Ohm, Bill
Pellegrino, Anthony
Rice, Kimberly
Rowe, Robert
Schleien, Eric
Simmons, Tammy
Smith, Gregory
Sullivan, Victoria
Ulery, Jordan

MERRIMACK

French, Harold
Hill, Gregory
Horn, Werner
Marple, Richard

ROCKINGHAM

Abramson, Max
Bush, Carol
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Friel, William
Guthrie, Joseph
Hodgdon, Bruce
Katsakiores, Phyllis
Kolodziej, Walter
Major, Norman
Matthews, Carolyn
O'Connor, John
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
True, Chris
Vose, Michael
Welch, David

STRAFFORD

Sprague, Dale Turcotte, Leonard

SULLIVAN

Laware, Thomas Schmidt, Andrew Smith, Steven

and the majority committee report was adopted and ordered to third reading.
Rep. Hagan declared a conflict of interest and did not participate.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. White moved that the House reconsider its action whereby, on a voice vote, the House adopted the motion of Ought to Pass on **SB 190-FN,** relative to payment of costs for career and technical education center programs and administration by the department of education.
Motion failed.

REGULAR CALENDAR CONT'D

SB 255, establishing a low-wage service worker task force. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**
Rep. Tammy A. Simmons for the Majority of Labor, Industrial and Rehabilitative Services. The bill was originally written as a commission to study the effect of low wage workers on New Hampshire's economy. It has been amended to a study committee allowing for three representatives and two senators instead of members of state departments and/or commissioners. The charge of the bill remains the same. Vote 9-8.
Rep. Andrew A. White for the Minority of Labor, Industrial and Rehabilitative Services. As passed by the senate, the bill established a Low Wage Worker Task Force, which would have consisted of a diverse group of business, labor, the public, and legislators to study the issues surrounding low wage jobs and their impact on the economy, poverty, workers, children, families, and communities. As amended the bill creates a very small legislative committee and changed the duties removing the requirement to study poverty and the impact of low wage jobs on children, families, and communities. The failure to incorporate these very important areas of study and to eliminate the participation of subject matter experts leaves the minority no choice but to vote against the amended bill.

Majority Amendment (1958h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study low-wage workers and their effect on the New Hampshire economy.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study low-wage employees and their effect on the New Hampshire economy.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee's study shall include, but shall not be limited to, the growth and nature of the low-wage service sector as compared to the growth of other sectors in New Hampshire, the costs of state services used by low-wage workers and the effects of low-wage jobs on the local economy.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes committee to study low-wage workers and their effect on the New Hampshire economy.
Majority committee amendment adopted.
Majority committee report adopted and ordered to third reading.

SCR 2, urging Congress to discontinue foreign aid to Argentina until financial disputes are resolved. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Robert L. Theberge for the Majority of State-Federal Relations and Veterans Affairs. The resolution acknowledges that in addition to other companies, RiverStone located in Manchester is owed money and asks congress to put pressure on Argentina by discontinuing aid until financial disputes in excess of $30 million be resolved. By virtue of this resolution, the State of New Hampshire sends a clear message to the government of Argentina that New Hampshire's legislative branch supports and protects its resident businesses and companies. The members of the legislature urge that Argentina respects its written contract with TIG Insurance requiring that any and all disputes be adjudicated in U.S. courts. Vote 8-5.
Rep. Eric R. Eastman for the Minority of State-Federal Relations and Veterans Affairs. The matter of concern in this many decades-old fiscal dispute is that of an alleged debt to an American financial services company (RiverStone Resources/TIG Insurance company); the "complainant" in this matter, which claims to have endured non-payment of $9 million on a receivable account by an Argentinean Company, "CAJA," long ago during the late 1980s. Since then, RiverStone/TIG insists that this debt has amortized due to carrying charges and late fees to a sum not less than $30 million. Moreover, during the ensuing years, "CAJA" has been subsumed (nationalized) by the relatively new and restructured Argentinean government. This resolution is the latest in a succession of attempts on the part of RiverStone/TIG to apply the kind of pressure they feel may result in a successful effort to collect on what they contend remains an unsatisfied account. A description of the events & history of this account that the government of Argentina offers on the matter is, predictably, considerably different. It is for numerous reasons that we of the minority in this committee urge all members of this body to vote no on the committee's recommendation of OTP.

MOTION TO LAY ON THE TABLE

Rep. Hunt moved that **SCR 2,** urging Congress to discontinue foreign aid to Argentina until financial disputes are resolved, be laid on the table.
Motion adopted.

REGULAR CALENDAR CONT'D

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority. **OUGHT TO PASS WITH AMENDMENT.**
Rep. George E. Sykes for Transportation. This bill adjusts the number of members to the board of directors of the NH Rail Transit Authority from a cumbersome 28 members to a more efficient 9 members. Additionally it takes the stakeholders removed from the board of directors and adds them to a new advisory board to the NH Rail Transit Authority. That advisory board will have a member on the board of directors. The committee amendment adds members of the NH house back in. Vote 10-5.

Amendment (1457h)

Amend RSA 238-A:4, I as inserted by section 1 of the bill by replacing it with the following:

I. The governing body of the authority shall be a board of directors. The board of directors shall receive input from the public and from the authority advisory board established under paragraph IV. The board of directors shall have the following 9 members:

(a) The commissioner of the department of transportation, or designee.

(b) The commissioner of the department of resources and economic development, or designee.

(c) An individual knowledgeable in the operations and construction of railroads, appointed by the governor and approved by the council.

(d) An individual knowledgeable in labor and human relations, appointed by the governor and approved by the council.

(e) A member of the authority advisory board elected by the board.

(f) A business owner, appointed by the governor and approved by the council.
(g) A public member, appointed by the governor and approved by the council.
(h) The chairperson of the house transportation committee, or designee.
(i) The ranking minority member of the house transportation committee, or designee.

Amend RSA 238-A:4, IV(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Elect a member to serve as a voting member of the board of directors.

Amend RSA 238-A:4, V as inserted by section 1 of the bill by inserting after subparagraph (q) the following new subparagraph:

(r) The mayor of the city of Rochester, or designee.

Committee amendment adopted.
Committee report adopted and ordered to third reading.

SB 213-FN-A-L, establishing a committee to study the formula for distribution of meals and rooms tax revenues. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Jordan G. Ulery for the Majority of Ways and Means. A study bill seems to infer developing more information. This bill, however, creates the presumption of changing N.H. into a local rule state, presumes local taxes required and fails to consider what exists with current legislation regarding taxation. Establishing local taxes and state taxes is the responsibility of the legislature, not towns or cities in N.H. Discovering the effects and ramifications of adding a new tax is immensely more transparent by considering a single tax or authority to tax than by mixing the discussion with expansive policies, theories and philosophies that accompany a study committee. The majority of the committee felt that rather than cloud the issue of a possible new tax by a study committee, a clean, clear, transparent bill is much more effective and efficient. Vote 9-7.
Rep. Mary R. Cooney for the Minority of Ways and Means. It is clear that in New Hampshire there are certain cities and towns which face a burden beyond the norm in providing municipal services due to seasonal, educational, or market center factors. Examples are municipalities hosting state-owned property, cities which are the center for jobs, entertainment, shopping, and tourism. This occurs in any situation in which a temporary enhanced population results in additional security and infrastructure needs such as during the day for employment opportunities, for tourist destinations, entertainment, or education. Some of these situations produce increased property taxes, some do not. Many states allow for municipalities, counties, or both to impose their own taxes on sales or occupancy in hotels as long as the taxes or fees are linked to the cost or providing those enhanced services. The minority feels that this is a subject worth studying to possibly bring some relief to these communities.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Frederick Rice, Pantelakos and Baldasaro spoke against.
Rep. Ulery spoke in favor and yielded to questions.
Rep. Pantelakos requested a roll call; not sufficiently seconded.
On a division vote, 122 members having voted in the affirmative and 180 in the negative, the majority committee report failed.
Rep. Frederick Rice moved the minority committee report of Ought to Pass.
Minority committee report adopted and ordered to third reading.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, June 11, 2015 at 10:00 a.m.
Motion adopted.

LATE SESSION

Third reading and final passage

SB 35, relative to the definition of wine-fortified.
SB 50, relative to the notice required prior to foreclosure of residential property.
SB 57, relative to the membership and governance of condominium unit owners' associations.
SB 73, relative to documentation of age to purchase alcoholic beverages and tobacco products.

SB 93-FN-A, relative to the definition of beverage.
SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets, establishing a committee to study powdered or crystalline alcohol, and relative to the definition of alcohol.
SB 111, making changes to the life and health insurance guaranty association.
SB 119, relative to the regulation of consumer guaranty contracts by the insurance department and guaranteed asset protection waivers by the banking department.
SB 145, relative to wine consumed at cocktail lounges.
SB 163, relative to wholesale hospital-to-hospital laboratory and testing services.
SB 189, relative to liquor manufacturers.
SB 254, establishing a committee to study the provision of services to the public by Uber and existing taxi services.
SB 32, relative to state agency budgetary reporting requirements.
SB 112, requiring the Medicaid program to cover telehealth services.
SB 192-FN, permitting the department of revenue administration to conduct employee candidate background checks and establishing the position of tax policy analyst within the department.
SB 169, relative to the use of electronic benefits transfer (EBT) cards.
SB 41, establishing a committee to study government immunity from suit and accountability by its citizens.
SB 235, relative to the condominium act and the land sales full disclosure act.
SB 241, relative to authorization for the town of Rindge to make capital expenditures from a trust fund.
SB 242, establishing a committee to study methods of adopting a budget in towns that have adopted official ballot voting.
SB 88, establishing a committee to study public-private partnerships for intermodal transportation.
SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors.
SCR 1, recognizing the contribution of Bhutanese refugees to New Hampshire, and requesting the United States government to work diligently on resolving the Bhutanese refugee crisis, reaching an agreement to allow the option of repatriation, and promoting human rights and democracy in Bhutan.
SB 104-FN, relative to licensure of research organizations by the pharmacy board.
SB 120-FN, relative to applicants for secondary game operator licenses.
SB 160, relative to duplicate vessel registration certificates.
SB 232-FN-A, exempting certain leases from the real estate transfer tax.
SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions.
SB 188-FN, revising banking, credit union, and trust laws.
SB 223-FN, relative to name availability for business organizations.
SB 266-FN, adopting the Uniform Securities Act.
SB 125-FN, relative to certification for mold assessment services.
SB 29-FN, relative to fines for motor vehicle offenses.
SB 39, relative to recounts on questions and relative to photographs of voters not presenting identification.
SB 179, relative to eligibility to vote and relative to availability of voter information.
SB 221-FN, relative to electric rate reduction financing.
SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance.
SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education.
SB 191-FN, relative to the use of the state's procurement card services.
SB 124-FN, relative to filing felonies first in the superior court.
SB 133-FN, relative to certain health care data, certain workers' compensation medical claim data collected by the insurance department, and medical costs paid under workers' compensation.
SB 255, establishing a committee to study low-wage workers and their effect on the New Hampshire economy.
SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority.
SB 213-FN-A-L, establishing a committee to study the formula for distribution of meals and rooms tax revenues.

UNANIMOUS CONSENT

Rep. Rogers requested Unanimous Consent of the House regarding memorial remarks for the Honorable John Chandler, former member from Hill, and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Katherine Rogers be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Rogers: Thank you, Mister Speaker. The Honorable John Palmer Chandler served as a member of this body from 1991 through 1996. I had the honor of serving with him as a member of the House Public Works Committee when he was the Vice Chairman. I was a freshman Democrat and one of the first "girls" to serve on that Committee. Representative Chandler was a true gentleman. He always treated this rather brash and mouthy freshman with respect, and with patience. He was fair yet firm, and always a formidable yet friendly political opponent. I learned much from this gentle and wise man. Representative Cloutier was also a freshman that term and joined with me in service on the Public Works Committee. We both got an education on the inner workings of NH roads, bridges and highways and how they were and were not funded from Representative John Chandler. But that was only the tip of the iceberg with respect to this man and his public service. John Chandler graduated from Browne & Nichols School in 1943, attended Harvard College for two years and graduated from the U.S. Military Academy in 1949. He held masters degrees from Harvard University, Rensselaer Polytechnic Institute and George Washington University. He was a licensed Professional Engineer. He served over 31 years in the Army, first as an enlisted man in the Army Air Corps during World War II and subsequently as a commissioned officer in the Army Corps of Engineers. His principal assignments included command of engineer units at platoon, company, battalion and group level, engineer advisor to the armed forces of South Korea, Bolivia and the Republic of Vietnam and general staff officer in the Office of the Army Chief of Staff. His final assignment was as the Division Engineer of the New England Division, Army Corps of Engineers, where he was appointed to the International Joint Commission and briefly as Chairman of the New England River Basins Commission. His decorations include the Army Distinguished Service Medal, Legion of Merit with two clusters, Meritorious Service Medal and Joint Service and Army Commendation medals. He was also decorated by the governments of Bolivia and Republic of Vietnam. After retirement from military service in 1979, Colonel Chandler served as Vice President of Anderson-Nichols, Architect-Engineers, taught eight years as a lecturer at Plymouth State College, and was N.H. Commissioner of Public Works and Highways. Our Chairman on the House Public Works Committee back in those days, Representative Gene Chandler, would often joke that it was amazing that he was Chairman and that John was the one with all the degrees and certifications and was the Vice Chairman and maybe the rolls should be reversed, but John was content being Chairman Chandler's right-hand man. Representative Chandler was also a true Renaissance man, surprising many by quoting the State's Poet Laureate on occasion without notes and doing so eloquently and accurately. John also held town offices for many years on school, planning and zoning boards and served as Chairman of the Lakes Region Planning Commission. He served on the boards of the New Hampshire Electric Cooperative, Franklin Regional Hospital, Lakes Region Charitable Foundation, N.H. Society of Professional Engineers, Merrimack River Watershed Council, Franklin Rotary Club, Franklin and Starr King Unitarian Universalist Congregations and was the long term president of the Hill Historical Society. He was a member of the Hasty Pudding Club at Harvard, the National Society of Professional Engineers, and the NH Council on World Affairs. John Chandler died on May 18th and Mr. Speaker, New Hampshire and the nation is a lesser place without him in it. Farewell Representative Chandler, from a former brash representative who is a little better in her work today because of you. Thank you, John and Godspeed.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 102, 171, 180, 198, 255, 322, 329, 418, 603 and 664 and Senate Bills numbered 22, 23, 49, 53, 56, 60, 62, 72, 92, 134, 153, 159, 171 and 244.

Rep. Hinch, Sen. Prescott for the Committee

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference. Motion adopted.

The House recessed at 5:35 p.m.

RECESS

(Speaker Jasper in the Chair)

CONFEREE CHANGES

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards.
Rep. MacKay replaced Rep. Stephen Schmidt.

HB 483, relative to the commission on primary care workforce issues.
Rep. Snow replaced Rep. Stephen Schmidt.

RECESS

(Speaker Jasper in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 142, relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students. (Amendments printed SJ 4-30-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Balcom, Adams, Victoria Sullivan and Katherine Rogers.

HB 323, relative to the administration of the statewide assessment program. (Amendment printed SJ 5-21-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Ladd, Cordelli, Wolf and Shaw.

HB 577-FN-L, establishing a children's savings account program, and relative to the bonding authority of the city of Dover. (Amendments printed SJ 4-30-15 and 5-28-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Lass, Umberger, Grenier and Gile.

HB 115, relative to reports on gross appropriations from the highway fund in the tentative state budget and defining autocycle and making provisions for the operation and inspection of autocycles. (Amendment printed SJ 6-4-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Chandler, Cloutier, Packard and McConkey.

HB 208-FN, relative to allowance sales under the New Hampshire regional greenhouse gas initiative program. (Amendment printed SJ 6-4-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Vose, Vadney, Aldrich and Barry.

HB 614-FN, implementing goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for energy facility evaluation, and relative to public information sessions on proposed energy siting. (Amendment printed SJ 6-4-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Richardson, Vadney, Danielson and Kurk.

SENATE MESSAGES

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 25-FN-A, making appropriations for capital improvements.
The President appointed Sens. Daniels, Boutin and Kelly.

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards.
The President appointed Sens. Sanborn, Carson and Fuller Clark.

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.
The President appointed Sens. Carson, Lasky and Cataldo.

HB 364, relative to renewal fees administered by the office of professional licensing, the salt applicator certification program, and pesticide product registration requirements.
The President appointed Sens. Carson, Reagan and Soucy.

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation.
The President appointed Sens. Prescott, Bradley and Fuller Clark.

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes and proclaiming September 25 as Ataxia Awareness Day.
The President appointed Sens. Carson, Cataldo and Woodburn.

HB 450, establishing a commission to study and make recommendations for a common definition of employee.
The President appointed Sens. Prescott, Pierce and Soucy.

HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.
The President appointed Sens. Daniels, Watters and Birdsell.

HB 473, requiring the board of managers of the veterans' home to adopt a policy relative to therapeutic use of cannabis by residents of the home.
The President appointed Sens. Carson, Reagan and Soucy.

HB 483, relative to the commission on primary care workforce issues.
The President appointed Sens. Sanborn, Avard and Kelly.

HB 547, requiring the assessing standards board to make recommendations on the valuation of telecommunications poles and conduits and the assessment of utility property.
The President appointed Sens. Sanborn, Boutin and Feltes.

HB 599, relative to the economic revitalization zone tax credit program.
The President appointed Sens. Boutin, Sanborn and D'Allesandro.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property.
The President appointed Sens. Reagan, Avard and Watters.

HB 681-FN-A, establishing a fine for persons convicted of domestic violence and increasing the marriage license fee.
The President appointed Sens. Boutin, Carson and Feltes.

NONCONCURRENCE WITH AMENDMENT

SB 39, relative to recounts on questions and relative to photographs of voters not presenting identification.

CONFEREE CHANGE

SB 8-FN-L, relative to appropriations for nursing homes.
Rep. McKinney replaced Rep. Byron.

RECESS

(Speaker Jasper in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. (Amendments printed SJ 6-4-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Kurk, Lynne Ober, Umberger, Jasper and Wallner.
The Speaker appointed alternates: Reps. Barry, Weyler, Dan McGuire, Eaton, Leishman and Major.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. (Amendments printed SJ 6-4-15)
Rep. Hinch moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Kurk, Lynne Ober, Umberger, Jasper and Wallner.
The Speaker appointed alternates: Reps. Major, Barry, Weyler, Dan McGuire, Eaton and Leishman.

CONCURRENCE

HB 225, requiring the defendant to personally appear in the courtroom during a victim impact statement.

NONCONCURRENCE

HB 287, allowing citizens to record by audio or video a traffic stop by law enforcement officers.

RE-REFERRED TO COMMITTEE

HB 285, relative to discussion with legal counsel under the right-to-know law.
HB 383, relative to the immunization/vaccination registry.
HB 427, relative to the definition of the New Hampshire fire code.
HB 613, relative to governmental records exempted under the right-to-know law.
HB 645-FN, relative to the licensure and regulation of child day care agencies.

CONCURRENCE WITH AMENDMENTS

SB 29-FN, relative to fines for motor vehicle offenses.
SB 41, establishing a committee to study government immunity from suit and accountability by its citizens.
SB 50, relative to the notice required prior to foreclosure of residential property.
SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions.
SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority.
SB 106-FN, restricting the sale or possession of synthetic drugs.
SB 112, requiring the Medicaid program to cover telehealth services.
SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver.
SB 119, relative to the regulation of consumer guaranty contracts by the insurance department and guaranteed asset protection waivers by the banking department.
SB 125-FN, relative to certification for mold assessment services.
SB 133-FN, relative to medical costs paid under workers' compensation.
SB 179, relative to eligibility to vote and relative to availability of voter information.
SB 186, reestablishing the commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund.
SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education, and providing that school districts shall not be required to adopt the common core standards.
SB 191-FN, relative to the use of the state's procurement card services.
SB 192-FN, permitting the department of revenue administration to conduct employee candidate background checks and establishing the position of tax policy analyst within the department.
SB 211-FN, relative to taxation of employee leasing companies under the business enterprise tax.
SB 221-FN, relative to electric rate reduction financing.
SB 242-L, establishing a committee to study methods of adopting a budget in towns that have adopted official ballot voting.

RECESS

(Speaker Jasper in the Chair)

SENATE MESSAGES

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

SB 93-FN-A, relative to the definition of beverage.
The President appointed Sens. Prescott, Sanborn and Pierce.
Rep. Gorman moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Hunt, Tucker, Jones and Abel.

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules.
The President appointed Sens. Bradley, Prescott and Feltes.
Rep. Gorman moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Doug Thomas, Baber, Richardson and Devine.

CONFEREE CHANGES

SB 8-FN-L, relative to appropriations for nursing homes.
Rep. Nordgren replaced Rep. Rosenwald.

RECESS

(Rep. Packard in the Chair)

SENATE MESSAGES

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

SB 32, relative to state agency budgetary reporting requirements.
The President appointed Sens. Bradley, Little and D'Allesandro.
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Lynne Ober, Twombly, Spanos and Leishman.

SB 108-FN, relative to health care associated infections.
The President appointed Sens. Sanborn, Avard and Kelly.
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. McMahon, Fothergill, Freitas and LeBrun.

SB 120-FN, relative to applicants for secondary game operator licenses.
The President appointed Sens. Boutin, Daniels and Feltes.
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Abrami, Henle, Leeman and Manning.

SB 135-FN, relative to lead poisoning in children.
The President appointed Sens. Sanborn, Avard and Kelly
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Nelson, LeBrun, Snow and Gordon.

SB 151, requiring inclusion of home educated pupils in the definition of average daily membership in attendance.
The President appointed Sens. Reagan, Avard and Kelly.
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Ladd, Balcom, Umberger and Shaw.

SB 169, relative to the use of electronic benefits transfer (EBT) cards.
The President appointed Sens. Sanborn, Avard and Kelly.
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. McMahon, Kotowski, LeBrun and MacKay.

SB 235, relative to the condominium act and the land sales full disclosure act.
The President appointed Sens. Birdsell, Stiles and Kelly.
Rep. Hinch moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Sterling, Peterson, Carson and Tatro.

RECESS

(Speaker Jasper in the Chair)

SENATE MESSAGES
NONCONCURS WITH AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

SB 57, relative to the membership and governance of condominium unit owners' associations.
The President appointed Sens. Stiles, Prescott and Soucy.
Rep. Major moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Hunt, Williams, French and Hurt.

SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets, establishing a committee to study powdered or crystalline alcohol, and relative to the definition of alcohol.
The President appointed Sens. Prescott, Bradley and Pierce.
Rep. Major moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Hunt, Tucker, Abel and Biggie.

SB 254, establishing a committee to study the provision of services to the public by Uber and existing taxi services.
The President appointed Sens. Prescott, Bradley and Soucy.
Rep. Major moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Hunt, Jones, Hannon and Williams.

SB 255, establishing a committee to study low-wage workers and their effect on the New Hampshire economy.
The President appointed Sens. Prescott, Cataldo and Soucy.
Rep. Major moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Infantine, Simmons, Len Turcotte and Ley.

SB 266-FN, adopting the Uniform Securities Act.
The President appointed Sens. Bradley, Little and Pierce.
Rep. Major moved that the House accede.
Motion adopted.
The Speaker appointed Reps. Hunt, Jones, Biggie and Williams.

CONFEREE CHANGES

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation.
Rep. Tatro replaced Rep. Porter.

HB 599, relative to the economic revitalization zone tax credit program.
Rep. Ohm replaced Rep. Azarian.

RECESS

(Rep. Chandler in the Chair)

ENROLLED BILL AMENDMENT

SCR 1, recognizing the contribution of Bhutanese refugees to New Hampshire, and requesting the United States government to work diligently on resolving the Bhutanese refugee crisis, reaching an agreement to allow the option of repatriation, and promoting human rights and democracy in Bhutan. (Amendment printed SJ 6-11-15)
Adopted.

CONFEREE CHANGES

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.
Rep. Almy added as an alternate.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.
Rep. Almy added as an alternate.

SENATE MESSAGE
LAID ON THE TABLE

HB 618-FN, relative to penalties for the possession of marijuana.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 17

Thursday, June 11, 2015

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Loving, generous God, You promise us the gift of abundant life to ease our journey through a world that demands so much of us. As we enter into this season of school vacations, this season of opportunities for travel or for rest, as we deliberately seek a slower pace on these long summer days, give us eyes to see and hearts to recognize what abundance really means. Help us to savor each experience more deeply, to engage more fully, to receive more gratefully. Inspire us to rejoice in simplicity, and find beauty and meaning in the ordinary. Above all, God of joy, give us an appreciation for humor and fun, and the ways they enrich our lives. Help us to loosen our hold on concerns that weigh us down, and to allow Your gift of laughter to infuse both our work and our play. Amen.

Representative Paula Bradley, member from Concord, led the Pledge of Allegiance.

The National Anthem was sung by U.S. Army Specialist Jennifer Messina of Derry.

AWARD PRESENTATION

Rep. Steve Shurtleff was presented the 2015 Caroline L. Gross Fellowship by Richard Ober, President and Chief Executive Officer of the New Hampshire Charitable Foundation. The annual award honors one's extraordinary dedication to public service.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made during the award presentation be printed in the Permanent Journal.
Motion unanimously adopted.

REMARKS

Speaker Jasper: Before we begin our regular business, we have a presentation of an award to a member of this House. It is the Caroline L. Gross Fellowship, which entails a 3-week program at Harvard. There are a few of us left in this Chamber who served with Caroline Gross. I want to tell you that she was one of the most remarkable women that I have ever served with. There are six portraits in this Hall and one of them is Caroline Gross. That gives testament to how this body felt about Caroline. I was very privileged to be her assistant majority leader when she served as majority leader under Harold Burns. Harold and Caroline obviously saw something in me, a person who at the time, was known to cause more than a little bit of trouble. I think they saw that my energies and what they saw as my talents could be contained and groomed so I had the privilege of being in that position with that very remarkable lady. There was, obviously, established this fellowship and it honors individuals for their extraordinary work in public service. This annual award is made in tribute to Caroline, whose own dedication to public service lives on through the work of the fellowship recipients. Caroline was a native of New Hampshire. She served in the House from 1983 until 1993 when she passed away. During those terms in the house, she served on Finance and Legislative Administration. She began serving in a leadership role in 1989 when she was appointed Majority Leader. It was a position she did hold until her death. Her family, friends, and colleagues established this fellowship fund to nurture the next generation of public servants. This fellowship enables an individual to attend the three-week summer seminar at the John F. Kennedy School of Government at Harvard University. I was honored to have been nominated, as was our Clerk. We were both not successful in getting to the point the recipient today has. Since 1994, the fellowship has sent 30 New Hampshire public servants through the program, including former New Hampshire Insurance Commissioner Sylvio Dupuis; Representative David Hess; State Senator Lou D'Allesandro; George Bald, former Commissioner of DRED; Superior Court Judge Tina Nadeau; and John Beardmore, Commissioner of the New Hampshire Department of Revenue Administration. Today's recipient is Representative Stephen Shurtleff who has been a member of the House since 2005. He has served in the House for six terms. He served on Criminal Justice, Judiciary, Legislative Administration and Pension Reform, as well as numerous House leadership roles. He has

also served as a Concord At-Large City Councilor since 2004. He is a former United States Marshal supervisory deputy for the U.S. Department of Justice. At this time, to make the formal presentation, I would recognize Richard Ober, President and CEO of the New Hampshire Charitable Foundation. There are former recipients with us as well.

Richard Ober: Thank you very much, Mister Speaker. My name is Richard Ober and I have the privilege of being the President of the New Hampshire Charitable Foundation and it is truly an honor to be here in the people's House. Governor Judd Gregg's commission on New Hampshire in the 21st Century, a project in which I was involved, opened their report with the following quote, "People come to New Hampshire or we stay in New Hampshire because of our love for independence. We discover paradoxically that independence requires a community effort. Under the mainstream of rugged individualism, there has always been a practical current of interdependence and cooperation." For many of us, then and now, that quote defines the essence of New Hampshire and especially the spirit of public service that you, and so many of your fellow citizens bring to your work. Thank you for that service. As the Speaker has said, this award was created at the New Hampshire Charitable Foundation to honor a truly extraordinary New Hampshire public servant, Caroline Gross. In the years since then, nearly two dozen distinguished public officials have received this award and selected to attend this intensive program at the Harvard Kennedy School that the Speaker described. Many of them have told me that was a defining experience in their professional and personal lives and I hope you have an opportunity to have them describe that to you. Many of our recipients are here with us today and as you see from the group they represent the spectrum of political viewpoints and all branches of government, federal, state and municipal. A tradition of this program is the fellows themselves go through the nominations and select the next year's winner. I am delighted to announce that the 2015 Caroline Gross Fellowship does indeed go to Representative Stephen Shurtleff.

Rep. Shurtleff: It is a warm morning so I will be brief. As I told members of our caucus this morning, it took me 28 years to earn my associate degree and to think next month I'll be at Harvard. I truly am a late bloomer. To be nominated for this honor was something special to me. To be selected, especially as I look at the distinguished group of former recipients of the Caroline Gross Award, people that I have long respected and long admired, words really do escape me. I never had the privilege of knowing Caroline Gross. I only know her as her reputation as a Republican leader in the New Hampshire House, but one thing I share is the legacy that she left all of us as members of the New Hampshire House, that ability to always look for that thread that binds us together instead of shedding a light on the issues that divide us. I just want to close by thanking everyone for this tremendous honor, which I am truly humbled by. Thank you all and God bless the New Hampshire House.

LEAVES OF ABSENCE

Reps. Cali-Pitts, Deloge, DiFranco, LeBreche, Parsons, Priestley, Rappaport, Russell, Sanders and Wheeler, the day, illness.

Reps. Baldasaro, Rebecca Brown, Byron, Crawford, Elliott, Flanders, Friel, Fromuth, Goley, Infantine, Ley, Moynihan, O'Hearne, O'Neil, Ohm, Parent, Porter, Rosenwald, Andrew Schmidt, Sherman, Gregory Smith, Timothy Smith, Spang, Spillane, Stevens, Tamburello, Twombly, Thomas Walsh, Joanne Ward and Kenneth Ward, the day, important business.

Reps. Lars Christiansen and DeLemus, the day, illness in the family.

Reps. Murotake and Simpson, the day, death in the family.

INTRODUCTION OF GUESTS

Sheldon Perry, guest of Rep. Ticehurst. Katie Sistar, mother of Rep. Halstead. Caitlin Edwards-Appell, wife of Rep. Edwards.

MOTION TO REMOVE JACKETS

Rep. Lynne Ober moved that members be allowed to remove their jackets, except when speaking at the well.

Motion adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Major moved that **HR 12,** affirming revenue estimates for fiscal years 2015, 2016, and 2017, be removed from the table.

Motion adopted.

The question being adoption of the motion of Ought to Pass.
Rep. Major offered floor amendment (2112h).

Floor Amendment (2112h)

Amend the resolution by replacing all after the title with the following:

Whereas, the House Ways and Means Committee has considered what the unrestricted revenue estimates should be for fiscal years 2015, 2016, 2017 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2015, 2016, and 2017.

Committee estimates are based on current law and economic conditions.

	FY 2015		FY 2016	FY 2017
GEN'L & EDUCATION TRUST FUND: (Dollars in Millions)	Official Estimate	Committee Estimate	Committee Estimate	Committee Estimate
Business Profits Tax	$340.500	$334.800	$339.880	$346.660
Business Enterprise Tax	227.700	223.200	226.520	231.040
Subtotal	568.200	558.000	566.400	577.700
Meals & Rooms Tax	265.200	277.500	291.400	305.900
Tobacco Tax	208.600	221.700	222.800	221.700
Liquor Sales	136.000	139.000	143.300	147.500
Interest & Dividends Tax	98.000	91.600	93.000	94.400
Insurance Tax	109.500	118.300	118.300	114.400
Communications Tax	62.500	57.800	58.100	58.400
Real Estate Transfer Tax	102.200	115.300	118.300	123.000
Court Fines & Fees	13.000	13.100	13.800	13.800
Securities Revenue	37.600	42.100	42.200	42.800
Utility Consumption Tax	6.000	6.000	6.000	6.000
Beer Tax	13.200	13.000	13.000	13.000
Other 70.300	70.900	69.800	70.200	
Lottery Transfers	77.300	74.000	73.000	75.000
Racing & Charitable Gaming	3.400	3.000	2.500	2.500
Tobacco Settlement	44.400	41.900	42.300	39.000
Utility Property Tax	35.400	42.500	41.300	41.800
Statewide Property Tax	363.600	363.400	363.100	363.100
Medicaid Recoveries	5.400	5.900	9.800	10.400
TOTAL GEN'L & EDUCATION TRUST FUNDS	$2,219.800	$2,255.000	$2,288.400	$2,320.600

	FY 2015		FY 2016	FY 2017
HIGHWAY FUNDS: (Dollars in Millions)	Official Estimate	Committee Estimate	Committee Estimate	Committee Estimate
Road Toll	$122.000	$125.600	$125.900	$125.900
Motor Vehicle Fees	109.900	115.800	106.400	113.500
Miscellaneous	15.000	15.000	1.300	0.900
TOTAL HIGHWAY FUNDS	$246.900	$256.400	$233.600	$240.300

	FY 2015		FY 2016	FY 2017
FISH AND GAME FUNDS: (Dollars in Millions)	Official Estimate	Committee Estimate	Committee Estimate	Committee Estimate
Fish & Game Licenses	$8.500	$8.300	$8.500	$8.500
Fines & Miscellaneous	1.600	1.800	1.800	1.800
TOTAL FISH & GAME FUNDS	$10.100	$10.100	$10.300	$10.300

Rep. Almy spoke against.
Rep. Major spoke in favor.
Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 137

YEAS - 193

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Nelson, Bill
Parker, Harold
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Roberts, Kris
Sterling, Franklin

COOS

Fothergill, John
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Christensen, Chris
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Seidel, Carl
Simmons, Tammy
Souza, Kathleen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Dean-Bailey, Yvonne
DeSimone, Debra
Doucette, Fred
Duarte, Joe
Ferrante, Beverly
Fesh, Robert
Gannon, William
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy

McMahon, Charles
Oligny, Jeffrey
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Woitkun, Steven
Milz, David
Osborne, Jason
Rice, Frederick
Thomas, Douglas
Webb, James
Nigrello, Robert
Peckham, Michele
Schroadter, Adam
True, Chris
Welch, David
O'Connor, John
Potucek, John
Sweeney, Joe
Tucker, Pamela
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Turcotte, Leonard
Bickford, David
Hannon, Joseph
Leeman, Don
Whitehouse, Joshua
Cheney, Catherine
Jones, Laura
Mullen, John
Wuelper, Kurt
Gray, James
Kaczynski, Jr., Thomas
Pitre, Joseph

SULLIVAN

Bridge, Ernest
Smith, Steven
Grenier, James
Laware, Thomas
Rollins, Skip

NAYS - 137

BELKNAP

Fisher, Robert

CARROLL

Buco, Thomas
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Parkhurst, Henry
Sad, Tara
Weber, Lucy
Ames, Richard
Eaton, Daniel
Pearson, William
Shepardson, Marjorie
Berch, Paul
Johnsen, Gladys
Phillips, Larry
Tatro, Bruce
Bordenet, John
Mann, John
Robertson, Timothy
Tilton, Benjamin

COOS

Froburg, Alethea
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Ford, Susan
Massimilla, Linda
Smith, Suzanne
Almy, Susan
Hennessey, Martha
Nordgren, Sharon
Sykes, George
Bennett, Travis
Higgins, Patricia
Piper, Wendy
Townsend, Charles
Cooney, Mary
Maes, Kevin
Shackett, Jeffrey
White, Andrew

HILLSBOROUGH

Backus, Robert
Bouldin, Amanda
Cornell, Patricia
Forest, Armand
Hansberry, Daniel
Jack, Martin
Manley, Jonathan
Shattuck, Gilman
Vann, Ivy
Baroody, Benjamin
Brown, Pamela
Cote, David
Freitas, Mary
Harvey, Suzanne
Katsiantonis, Thomas
McNamara, Richard
Snow, Kendall
Walsh, Robert
Beaulieu, Jane
Burt, John
DiSilvestro, Linda
Gorman, Mary
Heath, Mary
Long, Patrick
O'Brien, Michael
Soucy, Timothy
Williams, Kermit
Booras, Efstathia
Cohen, Alan
Edwards, Elizabeth
Guerette, C. Lee
Herbert, Christopher
Mangipudi, Latha
Roberts, Carol
Sullivan, Daniel
Woodbury, David

MERRIMACK

Alicea, Caroletta
Doherty, David
Gile, Mary
Karrick, David
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Bartlett, Christy
Ebel, Karen
Henle, Paul
Kenison, Linda
Myler, Mel
Rogers, Katherine
Turcotte, Alan
Bradley, Paula
Frazer, June
Hirsch, Geoffrey
Luneau, David
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Carson, Clyde
French, Barbara
Hoell, J.R.
MacKay, James
Ratzki, Mario
Schuett, Dianne

ROCKINGHAM

Borden, David	Cahill, Michael	Cushing, Robert	Francese, Paula
Gordon, Pamela	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Moody, Marcia	Pantelakos, Laura	Tasker, Kyle	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Sprague, Dale	Treleaven, Susan	Verschueren, James
Wall, Janet			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee		

and floor amendment (2112h) was adopted.

The question now being adoption of the motion of Ought to Pass with Amendment.
Rep. Almy offered floor amendment (2113h).

Floor Amendment (2113h)

Amend the resolution by replacing all after the title with the following:

Whereas, the House of Representatives has considered what the unrestricted revenue estimates should be for fiscal years 2015, 2016, 2017; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2015, 2016, and 2017.

Estimates are based on current law and economic conditions.

	FY 2015		FY 2016	FY 2017
GEN'L & EDUCATION TRUST FUND: (Dollars in Millions)	Official Estimate	House Estimate	House Estimate	House Estimate
Business Profits Tax	$340.500	$335.820	$342.577	$349.428
Business Enterprise Tax	227.700	223.880	228.317	232.884
Subtotal	568.200	559.700	570.894	582.312
Meals & Rooms Tax	265.200	278.000	293.290	309.421
Tobacco Tax	208.600	223.900	225.020	226.145
Liquor Sales	136.000	139.000	143.300	147.500
Interest & Dividends Tax	98.000	93.600	95.472	97.381
Insurance Tax	109.500	118.300	118.300	114.400
Communications Tax	62.500	57.900	58.190	58.481
Real Estate Transfer Tax	102.200	115.300	118.759	127.072
Court Fines & Fees	13.000	13.100	13.790	13.820
Securities Revenue	37.600	42.100	42.200	42.800
Utility Consumption Tax	6.000	6.000	6.000	6.000
Beer Tax	13.200	13.000	13.000	13.000
Other 70.300	70.900	69.800	70.200	
Lottery Transfers	77.300	74.000	73.000	75.000
Racing & Charitable Gaming	3.400	3.000	2.500	2.500
Tobacco Settlement	44.400	41.900	42.300	39.000
Utility Property Tax	35.400	42.500	41.300	41.800
Statewide Property Tax	363.600	363.400	363.100	363.100
Medicaid Recoveries	5.400	5.900	9.800	10.400
TOTAL GEN'L & EDUCATION TRUST FUNDS	$2,219.800	$2,261.500	$2,300.015	$2,340.332

HIGHWAY FUNDS: (Dollars in Millions)	FY 2015 Official Estimate	FY 2015 House Estimate	FY 2016 House Estimate	FY 2017 House Estimate
Road Toll	$122.000	$125.600	$125.900	$125.900
Motor Vehicle Fees	109.900	115.800	106.400	113.500
Miscellaneous	15.000	15.000	1.300	0.900
TOTAL HIGHWAY FUNDS	$246.900	$256.400	$233.600	$240.300

FISH AND GAME FUNDS: (Dollars in Millions)	FY 2015 Official Estimate	FY 2015 House Estimate	FY 2016 House Estimate	FY 2017 House Estimate
Fish & Game Licenses	$8.500	$8.300	$8.500	$8.500
Fines & Miscellaneous	1.600	1.800	1.800	1.800
TOTAL FISH & GAME FUNDS	$10.100	$10.100	$10.300	$10.300

Rep. Hess spoke against.
Rep. Almy spoke in favor.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 133 - NAYS 197

YEAS - 133

CARROLL

Buco, Thomas	Ticehurst, Susan		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Mann, John
Parkhurst, Henry	Pearson, William	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Froburg, Alethea	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Cooney, Mary
Ford, Susan	Hennessey, Martha	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Bouldin, Amanda	Brown, Pamela	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand
Freitas, Mary	Gidge, Kenneth	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Katsiantonis, Thomas	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	Roberts, Carol
Shattuck, Gilman	Shaw, Barbara	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	Williams, Kermit
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Bradley, Paula	Carson, Clyde	Doherty, David
Ebel, Karen	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

ROCKINGHAM

Borden, David
Cahill, Michael
Cushing, Robert
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Sprague, Dale
Treleaven, Susan
Verschueren, James
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
Oxenham, Lee

NAYS - 197

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Umberger, Karen
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Roberts, Kris
Sterling, Franklin

COOS

Fothergill, John
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Brown, Duane
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Christensen, Chris
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Gagne, Larry
Gargasz, Carolyn
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Seidel, Carl
Simmons, Tammy
Souza, Kathleen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Karrick, David	Kidder, David
Kotowski, Frank	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Seaworth, Brian

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Barnes, Arthur	Bates, David	Belanger, Ronald	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Dean-Bailey, Yvonne	DeSimone, Debra	Doucette, Fred	Duarte, Joe
Ferrante, Beverly	Fesh, Robert	Gannon, William	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Sweeney, Joe
Sytek, John	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Pitre, Joseph
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

and floor amendment (2113h) failed.

MOTION TO LAY ON THE TABLE

Rep. Major moved that **HR 12,** affirming revenue estimates for fiscal years 2015, 2016, and 2017, be laid on the table.
Motion adopted.

GOVERNOR'S VETO MESSAGE ON HB 122

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 2, 2015, I have vetoed House Bill 122, relative to advertising of liquor or beverages. Substance misuse, including alcohol misuse, continues to be one of the major public health and safety challenges facing us as a state. Moreover, statistics suggest that New Hampshire has among the highest rates of underage drinking in the country. In changing the way that we regulate, and in some cases loosening restrictions on referring to minors in the advertisement and sale of alcoholic beverages, House Bill 122 could undermine our efforts to prevent underage drinking. It is imperative that we strike the appropriate balance between responsible regulation of alcohol and the desired latitude for marketing creativity within our growing craft beer industry. However, in repealing RSA 179:31, VII(a), particularly the explicit prohibition on references to minors, House Bill 122 fails to provide adequate statutory guidance to the Liquor Commission in maintaining that important balance. While I remain very supportive of our growing craft beer industry in the state and have signed many laws aimed at supporting the expansion of this industry in a responsible way, statutory changes significantly impacting the way alcohol could be advertised in our state must be undertaken with great caution and clear guidelines. House Bill 122 does not meet that standard, and it could also potentially lead to greater inconsistencies in how our marketing regulations are applied. I would encourage proponents to work with the Liquor Commission and substance misuse advocacy organizations to develop a

proposal with clear guidance that is understandable to both the business community and the Liquor Commission. Such a proposal should aim to balance the desire for creativity in the marketing and/or branding of craft and other locally manufactured alcoholic beverages with the very real need to ensure that such marketing does not encourage underage drinking. Because this bill does not strike that necessary balance, I have vetoed House Bill 122.

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 122,** relative to advertising of liquor or beverages, become law?
Rep. Murphy spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 236 - NAYS 95

YEAS - 236

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Ticehurst, Susan	Umberger, Karen	Wright, Ted	

CHESHIRE

Abbott, Michael	Bordenet, John	Eaton, Daniel	Hunt, John
McConnell, Jim	Pearson, William	Phillips, Larry	Roberts, Kris
Sterling, Franklin	Tilton, Benjamin		

COOS

Fothergill, John	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Cooney, Mary	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Shackett, Jeffrey	Townsend, Charles

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Bouldin, Amanda	Brown, Pamela	Burt, John	Christensen, Chris
Christie, Rick	Coffey, James	Cohen, Alan	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth	Gagne, Larry
Gidge, Kenneth	Gonzalez, Carlos	Gould, Linda	Goulette, William
Griffin, Barbara	Haefner, Robert	Halstead, Carolyn	Hansen, Peter
Hinch, Richard	Hogan, Edith	Jack, Martin	Katsiantonis, Thomas
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Long, Patrick
Marston, Dick	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	McNamara, Richard	Moore, Josh	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Palmer, Barry	Parison, James	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Proulx, Mark	Rice, Kimberly	Rouillard, Claire

Rowe, Robert
Simmons, Tammy
Straight, Phillip
Takesian, Charlene
Wolf, Terry
Sanborn, Laurie
Soucy, Timothy
Sullivan, Daniel
Ulery, Jordan
Zaricki, Nick
Seidel, Carl
Souza, Kathleen
Sullivan, Victoria
Vann, Ivy
Shaw, Barbara
Stepanek, Stephen
Sweeney, Shawn
Williams, Kermit

MERRIMACK

Bradley, Paula
Hess, David
Karrick, David
Long, Douglas
McGuire, Carol
Brewster, Michael
Hill, Gregory
Kidder, David
Luneau, David
McGuire, Dan
Carson, Clyde
Hoell, J.R.
Kotowski, Frank
Marple, Richard
Seaworth, Brian
French, Harold
Horn, Werner
Kuch, Bill
Martin, John
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Barnes, Arthur
Bush, Carol
Chirichiello, Brian
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Kellogg, Shem
Major, Norman
McMahon, Charles
Oligny, Jeffrey
Prudhomme-O'Brien, Katherine
Sytek, John
Tucker, Pamela
Weyler, Kenneth
Abramson, Max
Bates, David
Cahill, Michael
Christie, Andrew
Doucette, Fred
Gannon, William
Hagan, Joseph
Itse, Daniel
Kolodziej, Walter
Manning, John
Milz, David
Osborne, Jason
Rice, Frederick
Tasker, Kyle
Vose, Michael
Woitkun, Steven
Allen, Mary
Belanger, Ronald
Cardon, G. Thomas
Cushing, Robert
Duarte, Joe
Green, Dennis
Harris, Jeffrey
Kappler, Lawrence
Lovejoy, Patricia
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Schroadter, Adam
Thomas, Douglas
Webb, James
Azarian, Gary
Borden, David
Chase, Francis
Dean-Bailey, Yvonne
Ferrante, Beverly
Griffin, Mary
Hodgdon, Bruce
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
O'Connor, John
Potucek, John
Sweeney, Joe
True, Chris
Welch, David

STRAFFORD

Beaudoin, Steven
Gardner, Janice
Jones, Laura
Mullen, John
Turcotte, Leonard
Bickford, David
Gray, James
Kaczynski, Jr., Thomas
Pitre, Joseph
Whitehouse, Joshua
Bixby, Peter
Groen, Warren
Knowles, Robert
Smith, Marjorie
Wuelper, Kurt
Cheney, Catherine
Hannon, Joseph
Leeman, Don
Sprague, Dale

SULLIVAN

Bridge, Ernest
Smith, Steven
Grenier, James
Laware, Thomas
Rollins, Skip

NAYS - 95

CARROLL

Buco, Thomas

CHESHIRE

Ames, Richard
Mann, John
Shepardson, Marjorie
Berch, Paul
Parkhurst, Henry
Tatro, Bruce
Chase, Cynthia
Robertson, Timothy
Weber, Lucy
Johnsen, Gladys
Sad, Tara

COOS

Froburg, Alethea
Thomas, Yvonne

GRAFTON

Abel, Richard
Hennessey, Martha
Nordgren, Sharon
White, Andrew
Almy, Susan
Higgins, Patricia
Piper, Wendy
Bennett, Travis
Maes, Kevin
Smith, Suzanne
Ford, Susan
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Booras, Efstathia	Cornell, Patricia
Cote, David	Forest, Armand	Freitas, Mary	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jeudy, Jean	Mangipudi, Latha	Manley, Jonathan
O'Brien, Michael	Roberts, Carol	Shattuck, Gilman	Snow, Kendall
Walsh, Robert	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Doherty, David	Ebel, Karen
Frazer, June	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Kenison, Linda	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Wallner, Mary Jane			

ROCKINGHAM

Berrien, Skip	Francese, Paula	Gordon, Pamela	Heffron, Frank
McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Southworth, Thomas	Treleaven, Susan	Verschueren, James
Wall, Janet			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne

and the veto was overridden by the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 148

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 2, 2015, I vetoed House Bill 148, an act limiting the authority of delegates to Article V conventions. House Bill 148 establishes a procedure for the selection of state delegates to a convention called by the states for the purpose of considering amendments to the United States Constitution. This bill also limits the authority of those appointed delegates. This bill is similar to Senate Bill 356, legislation vetoed by Governor John Lynch in 2012, requiring every delegate from New Hampshire at an Article V convention to take an oath, which in part states, 'I will accept and will act according to the limits of the authority as a delegate granted to me by New Hampshire law, and I will not vote to consider or approve any unauthorized amendment to the Constitution for the United States of America. I understand and accept any penalties that may be imposed on me by New Hampshire law for violating this oath.' Whether or not one agrees that an Article V convention is the right course of action for proposing amendments to the United States Constitution, and regardless of one's stance on potential amendments proposed across the political spectrum, it is apparent that a convention to consider amending the constitution is not going to be called by the states any time soon. If such a convention were to be called under Article V of our Constitution, it seems that would be the appropriate time to consider procedural concerns for delegates, including how those delegates should be appointed. Furthermore, the language of this measure places restrictions on our hypothetical delegates that are contrary to the true purpose of any constitutional convention. If similar restrictions had been in place during the original Constitutional Convention in 1787, our Founders may very well have never created the United States Constitution. Finally, I also have concerns with the prospect that duly appointed delegates could be subject to potential criminal penalties in the fulfillment of their role. For these reasons, I have vetoed House Bill 148.

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 148,** limiting the authority of delegates to Article V conventions, become law?
Reps. Horrigan and Weber spoke against.
Reps. Edelblut and Eastman spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 197 - NAYS 140

YEAS - 197

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
Luther, Robert	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Cordelli, Glenn	McCarthy, Frank
McConkey, Mark	Nelson, Bill	Parker, Harold	Umberger, Karen
Wright, Ted			

CHESHIRE

Bordenet, John	Hunt, John	Phillips, Larry	Sterling, Franklin
Tilton, Benjamin			

COOS

Fothergill, John	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Cooney, Mary	Darrow, Stephen
Gionet, Edmond	Hennessey, Erin	Hull, Robert	Ingbretson, Paul
Johnson, Eric	Ladd, Rick	Massimilla, Linda	Piper, Wendy
Shackett, Jeffrey			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christensen, Chris	Christie, Rick	Coffey, James
Cohen, Alan	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Gagne, Larry
Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hopper, Gary
Katsiantonis, Thomas	Lachance, Joseph	LeBrun, Donald	Marston, Dick
Martel, Andre	McCarthy, Peggy	McClarren, Donald	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	Ober, Lynne
Ober, Russell	Palmer, Barry	Parison, James	Pellegrino, Anthony
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl	Simmons, Tammy
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Horn, Werner
Kotowski, Frank	Kuch, Bill	Long, Douglas	Marple, Richard
McGuire, Carol	McGuire, Dan	Moffett, Howard	Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Dean-Bailey, Yvonne
DeSimone, Debra
Doucette, Fred
Duarte, Joe
Ferrante, Beverly
Fesh, Robert
Gannon, William
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Osborne, Jason
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sweeney, Joe
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Bickford, David
Cheney, Catherine
Cilley, Jacalyn
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Cloutier, John
Grenier, James
Irwin, Virginia
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 140

CARROLL

Buco, Thomas
Comeau, Ed
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Mann, John
McConnell, Jim
Parkhurst, Henry
Pearson, William
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Ferreira, Elizabeth
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Gorman, Mary
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hogan, Edith
Jack, Martin
Jeudy, Jean
Kurk, Neal
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Brien, William
Peterson, Ken
Pierce, David
Roberts, Carol
Shattuck, Gilman
Shaw, Barbara
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hess, David	Hill, Gregory
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Kidder, David
Luneau, David	MacKay, James	Martin, John	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cushing, Robert
Francese, Paula	Gordon, Pamela	Heffron, Frank	Kappler, Lawrence
Lovejoy, Patricia	McBeath, Rebecca	Milz, David	Moody, Marcia
Pantelakos, Laura	Ward, Gerald		

STRAFFORD

Baber, William	Beaudoin, Steven	Berube, Roger	Bixby, Peter
Burton, Wayne	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Sprague, Dale	Treleaven, Susan	Verschueren, James
Wall, Janet			

SULLIVAN

Converse, Larry	Gagnon, Raymond	Gottling, Suzanne	Oxenham, Lee

and the veto was sustained lacking the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 151

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 2, 2015, I vetoed House Bill 151, an act establishing a committee to study end-of-life decisions. In 2013, I vetoed almost identical legislation in the form of House Bill 403. The only difference between the two bills is that this year's version added duties, which failed to address any of my concerns from the previous veto, particularly a membership that lacks a broad cross-section of the individuals who understand these complex and emotional issues best: the medical community, patients, advocates for the elderly and people who experience disabilities, and the religious community. I continue to support strengthening New Hampshire's advance directive statute, relying on input from stakeholders across the Granite State, but I believe that the goals of this bill begin to take New Hampshire down a precarious path. As was the case in 2013, I do not see a need for the study committee outlined by this legislation, and I have therefore vetoed House Bill 151.

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 151,** establishing a committee to study end-of-life decisions, become law?
Reps. Marjorie Smith, Wolf and Phillips spoke in favor.
Rep. Souza spoke against.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 184 - NAYS 154

YEAS - 184

BELKNAP

Aldrich, Glen	Dumais, Russell	Fisher, Robert	Howard, Jr., Raymond
Hurt, George	Luther, Robert	Spanos, Peter	Varney, Peter

CARROLL

Chandler, Gene
McConkey, Mark
Parker, Harold
Ticehurst, Susan
Umberger, Karen
Wright, Ted

CHESHIRE

Bordenet, John
Eaton, Daniel
Johnsen, Gladys
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Shepardson, Marjorie
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Hatch, William
Richardson, Herbert
Tholl, John

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Cooney, Mary
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Hull, Robert
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Townsend, Charles
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Booras, Efstathia
Bouldin, Amanda
Christensen, Chris
Christie, Rick
Cohen, Alan
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edwards, Elizabeth
Gargasz, Carolyn
Gidge, Kenneth
Gonzalez, Carlos
Guerette, C. Lee
Haefner, Robert
Hansen, Peter
Harvey, Suzanne
Herbert, Christopher
Hinch, Richard
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Manley, Jonathan
McClarren, Donald
McNamara, Richard
Murphy, Keith
Pellegrino, Anthony
Peterson, Ken
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rouillard, Claire
Sanborn, Laurie
Scontsas, Lisa
Simmons, Tammy
Sullivan, Daniel
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Bradley, Paula
Brewster, Michael
Doherty, David
Ebel, Karen
French, Barbara
Hess, David
Hill, Gregory
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Saunderson, George
Schuett, Dianne
Turcotte, Alan
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Christie, Andrew
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
Doucette, Fred
Francese, Paula
Gordon, Pamela
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
McBeath, Rebecca
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
Peckham, Michele
Potucek, John
Rice, Frederick
Sweeney, Joe
Sytek, John
Tasker, Kyle
Vose, Michael
Webb, James
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Cilley, Jacalyn
Gardner, Janice
Gray, James
Kaen, Naida
Leeman, Don
Smith, Marjorie
Sprague, Dale
Treleaven, Susan
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest	Converse, Larry	Grenier, James	Irwin, Virginia
Laware, Thomas	Rollins, Skip	Smith, Steven	

NAYS - 154

BELKNAP

Fields, Dennis	Fraser, Valerie	Gallagher, Brian	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert		

CARROLL

Avellani, Lino	Buco, Thomas	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	Nelson, Bill		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Chase, Cynthia
Hunt, John	Mann, John	McConnell, Jim	Parkhurst, Henry
Sad, Tara	Sterling, Franklin	Tatro, Bruce	

COOS

Froburg, Alethea	Rideout, Leon	Theberge, Robert	Thomas, Yvonne

GRAFTON

Brown, Duane	Darrow, Stephen	Higgins, Patricia	Ingbretson, Paul
Johnson, Eric	Smith, Suzanne	Sykes, George	

HILLSBOROUGH

Baroody, Benjamin	Biggie, Barbara	Boehm, Ralph	Burt, John
Coffey, James	Cornell, Patricia	Cote, David	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Forest, Armand	Freitas, Mary
Gagne, Larry	Gorman, Mary	Gould, Linda	Goulette, William
Griffin, Barbara	Halstead, Carolyn	Hansberry, Daniel	Heath, Mary
Hogan, Edith	Hopper, Gary	Jeudy, Jean	Katsiantonis, Thomas
Lachance, Joseph	Long, Patrick	Mangipudi, Latha	Marston, Dick
Martel, Andre	McCarthy, Peggy	McLean, Mark	Moore, Josh
Notter, Jeanine	O'Brien, Michael	O'Brien, William	Ober, Lynne
Ober, Russell	Palmer, Barry	Parison, James	Pierce, David
Rowe, Robert	Seidel, Carl	Shattuck, Gilman	Shaw, Barbara
Snow, Kendall	Soucy, Timothy	Souza, Kathleen	Stepanek, Stephen
Straight, Phillip	Ulery, Jordan	Williams, Kermit	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Carson, Clyde	Frazer, June
French, Harold	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Hoell, J.R.	Horn, Werner	Kuch, Bill	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Rogers, Katherine
Seaworth, Brian	Shurtleff, Stephen		

ROCKINGHAM

Abramson, Max	Allen, Mary	Bates, David	Chirichiello, Brian
Duarte, Joe	Ferrante, Beverly	Fesh, Robert	Gannon, William
Gordon, Richard	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Kappler, Lawrence	Manning, John	Matthews, Carolyn	McKinney, Betsy
O'Connor, John	Oligny, Jeffrey	Osborne, Jason	Pantelakos, Laura
Prudhomme-O'Brien, Katherine	Schroadter, Adam	Thomas, Douglas	True, Chris
Tucker, Pamela	Ward, Gerald	Welch, David	

STRAFFORD

Beaudoin, Steven	Berube, Roger	Burton, Wayne	Cheney, Catherine
DiSesa, Len	Groen, Warren	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert	Mullen, John
Pitre, Joseph	Rollo, Deanna	Schmidt, Peter	Southworth, Thomas
Turcotte, Leonard	Verschueren, James	Wall, Janet	Wuelper, Kurt

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Oxenham, Lee

and the veto was sustained lacking the necessary two-thirds vote.

SENATE MESSAGES
REQUESTS CONCURRENCE WITH AMENDMENTS

HB 441, permitting the department of health and human services to share information in a termination of parental rights case with a foster parent who intends to adopt the child; and relative to financial affidavits submitted in hearings regarding child support, property settlement, and alimony. (Amendment printed SJ 6-4-15)
Rep. Gargasz moved that the House concur and spoke in favor.
Motion adopted.

HB 230, relative to the discharge of a mortgage. (Amendment printed SJ 5-28-15)
Reps. Hunt and Tholl moved that the House concur.
Rep. Hunt spoke in favor.
Motion adopted.

HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers. (Amendment printed SJ 4-30-15)
Rep. Hunt moved that the House concur and spoke in favor.
Motion adopted.

HB 479, relative to uninsured or hit-and-run motor vehicle coverage and relative to the New Hampshire excellence in higher education endowment trust fund. (Amendment printed SJ 5-7-15)
Rep. Hunt moved that the House concur and spoke in favor.
Motion adopted.

HB 495, relative to commercial referral fees. (Amendment printed SJ 5-28-15)
Rep. Hunt moved that the House concur and spoke in favor.
Motion adopted.
Rep. Baroody declared a conflict of interest and did not participate.

HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties. (Amendment printed SJ 4-30-15)
Rep. Hunt moved that the House concur and spoke in favor.
Motion adopted.

HB 666-FN, relative to licensing of money transmitters. (Amendment printed SJ 5-7-15)
Rep. Hunt moved that the House concur and spoke in favor.
Motion adopted.

HB 270, granting immunity from arrest, prosecution, or conviction to a person who requests medical assistance to save the life of an overdose victim. (Amendment printed SJ 6-4-15)
Rep. Tholl moved that the House concur and spoke in favor.
Motion adopted.

HB 330, establishing an oversight commission for medical cost transparency. (Amendment printed SJ 6-4-15)
Rep. Kotowski moved that the House concur and spoke in favor.
Motion adopted.

HB 309, permitting landlords to remove tenants' property in certain circumstances and relative to the committee to study issues concerning parking for those with walking disabilities. (Amendments printed SJ 6-4-15)
Rep. Rowe moved that the House concur and spoke in favor.
Motion adopted.

HB 486, authorizing towns and cities to establish special assessment districts and establishing a committee to study the creation of a special village district in Danbury. (Amendments printed SJ 6-4-15)
Rep. James Belanger moved that the House concur and spoke in favor.
On a division vote, 236 members having voted in the affirmative and 41 in the negative, the motion was adopted.

HB 395-FN, relative to electronic toll collection. (Amendment printed SJ 4-30-15)
Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association and relative to cost-sharing parity for oral anti-cancer therapies. (Amendments printed SJ 6-4-15)
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Hunt, Jones, Butler and Hurt.

HB 468-FN, requiring a warrant to obtain electronic device location information and relative to appropriations for nursing homes. (Amendments printed SJ 6-4-15)
Reps. Andrew Christie and Tholl moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Sytek, Kurk, Barry and Andrew Christie.

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and relative to the siting of high pressure gas pipelines. (Amendment printed SJ 6-4-15)
Reps. James Belanger and Major moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. James Belanger, Sterling, Tatro and Coffey.

HB 550-FN, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax. (Amendments printed SJ 4-30-15 and 6-4-15)
Rep. Major moved that the House nonconcur and request a Committee of Conference.
Motion adopted.
The Speaker appointed Reps. Major, Abrami, Hess and Lovejoy.

COMMITTEE OF CONFERENCE REPORT ON SENATE BILL 93-FN-A

Committee of Conference Report on SB 93-FN-A, an act relative to the definition of beverage.
Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Prescott, Dist. 23; Sanborn, Dist. 9; and Pierce, Dist. 5.
Conferees: Reps. Hunt, Ches 11; Tucker, Rock 23; Jones, Straf 24; and Abel, Graf 13.

Rep. Hunt moved that the Committee of Conference Report be adopted.
Committee of Conference Report adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title

only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, June 24, 2015 at 10:00 a.m.
Motion adopted.

UNANIMOUS CONSENT

Rep. Hess requested Unanimous Consent of the House regarding Edward Everett Hale and addressed the House.
Rep. Schuett requested Unanimous Consent of the House regarding Flag Day and addressed the House.

RECESS MOTION

Rep. Hoelzel moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.
Motion adopted.

The House recessed at 12:35 p.m.

RECESS

(Rep. Hinch in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills numbered 169, 290, 381 and 498 and Senate Bills numbered 38, 46, 86 and 202.

Rep. Hinch, Sen. Prescott for the Committee

SENATE MESSAGE

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.
The President appointed Sens. Forrester, Little, Morse and D'Allesandro.
The President appointed alternates: Sens. Reagan and Hosmer.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.
The President appointed Sens. Forrester, Little, Morse and D'Allesandro.
The President appointed alternates: Sens. Reagan and Hosmer.

HB 115, relative to reports on gross appropriations from the highway fund in the tentative state budget and defining autocycle and making provisions for the operation and inspection of autocycles.
The President appointed Sens. Stiles, Birdsell and Feltes.

HB 142, relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students.
The President appointed Sens. Reagan, Avard and Watters.

HB 208-FN, relative to allowance sales under the New Hampshire regional greenhouse gas initiative program.
The President appointed Sens. Bradley, Stiles and Feltes.

HB 323, relative to the administration of the statewide assessment program.
The President appointed Sens. Reagan, Bradley and Watters.

HB 468-FN, requiring a warrant to obtain electronic device location information and relative to appropriations for nursing homes.
The President appointed Sens. Carson, Daniels and Lasky.

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association and relative to cost-sharing parity for oral anti-cancer therapies.
The President appointed Sens. Carson, Bradley and Soucy.

HB 550-FN, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax.
The President appointed Sens. Boutin, Sanborn and Feltes.

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and relative to the siting of high pressure gas pipelines.
The President appointed Sens. Bradley, Prescott and Feltes.

HB 577-FN-A-L, establishing a children's savings account program, and relative to the bonding authority of the city of Dover.
The President appointed Sens. Reagan, Stiles and Watters.

HB 614-FN, implementing goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for energy facility evaluation, and relative to public information sessions on proposed energy siting.
The President appointed Sens. Bradley, Little and Feltes.

SENATE MESSAGES
CONCURRENCE WITH AMENDMENT

SB 124-FN, relative to filing felonies first in the superior court.

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

SB 93-FN-A, relative to the definition of beverage.

CONFEREE CHANGES

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.
Rep. Ferreira replaced Rep. Edelblut.

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association and relative to cost-sharing parity for oral anti-cancer therapies.
Rep. Hannon replaced Rep. Hurt.

HB 614-FN, implementing goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for energy facility evaluation, and relative to public information sessions on proposed energy siting.
Rep. Introne replaced Rep. Kurk.
Rep. Hinch replaced Rep. Introne.

SB 32, relative to state agency budgetary reporting requirements.
Rep. Kurk replaced Rep. Twombly.

SB 57, relative to the membership and governance of condominium unit owners' associations.
Rep. Jones replaced Rep. Hurt.

SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets, establishing a committee to study powdered or crystalline alcohol, and relative to the definition of alcohol.
Rep. Jones replaced Rep. Tucker.

SB 255, establishing a committee to study low-wage workers and their effect on the New Hampshire economy.
Rep. White replaced Rep. Ley.

RECESS

(Rep. Chandler in the Chair)

ENROLLED BILL AMENDMENTS

SB 29-FN, relative to fines for motor vehicle offenses. (Amendment printed SJ 6-11-15)
Adopted.

SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions. (Amendment printed SJ 6-11-15)
Adopted.

SB 104-FN, relative to licensure of research organizations by the pharmacy board. (Amendment printed SJ 6-11-15)
Adopted.

SB 106-FN, restricting the sale or possession of synthetic drugs. (Amendment printed SJ 6-11-15)
Adopted.

SB 111, making changes to the life and health insurance guaranty association. (Amendment printed SJ 6-11-15)
Adopted.

SB 112, requiring the Medicaid program to cover telehealth services. (Amendment printed SJ 6-11-15)
Adopted.

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver. (Amendment printed SJ 6-11-15)
Adopted.

SB 119, relative to the regulation of consumer guaranty contracts by the insurance department and guaranteed asset protection waivers by the banking department. (Amendment printed SJ 6-11-15)
Adopted.

SB 125-FN, relative to certification for mold assessment services. (Amendment printed SJ 6-11-15)
Adopted.

SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors. (Amendment printed SJ 6-11-15)
Adopted.

CONFEREE CHANGES

HB 550-FN, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax.
Rep. Hannon replaced Rep. Hess.
Rep. Tilton replaced Rep. Lovejoy.
Rep. Hinch replaced Rep. Tilton.

RECESS

(Rep. Nelson in the Chair)

ENROLLED BILL AMENDMENTS

HB 153, relative to the telecommunications planning and development advisory committee.

Amendment (2129-EBA)

Amend RSA 12-A:46, II, (k)(7) and (8) as inserted by section 1 of the bill by replacing them with the following:

(7) One member representing a regional economic development organization or a regional planning commission; [~~and~~]

(8) One member representing healthcare technology[~~.~~]***; and***

Adopted.

HB 190, establishing a statutory commission to study the standards for collaborative pharmacy practice.

Amendment (2103-EBA)

Amend RSA 318:16-c, III(a) as inserted by section 2 of the bill by replacing line 1 with the following:

(a) Reviewing RSA 318:16-a and discussing areas where it is working effectively and

Amend RSA 318:16-c, III(f) as inserted by section 2 of the bill by replacing it with the following:

(f) Identifying recommended solutions, both legislative and non-legislative; and

Adopted.

HB 212, relative to revocation of fish and game licenses of persons convicted of sexual assault while hunting, trapping, or fishing and relative to the authority of the fish and game department to establish fees.

Amendment (2162-EBA)

Amend RSA 206:10, I as inserted by section 2 of the bill by replacing line 10 with the following: ***to RSA 541-A, (b) the right to*** open and close the season for taking fish, game, birds, and wildlife, ***and***

Amend RSA 208:5-b as inserted by section 8 of the bill by replacing line 2 with the following: licensed with the applicable license to hunt issued under RSA 214, [~~or~~] RSA 208:5, or [~~5-a~~] ***RSA 208:5-a.***

Amend RSA 214:9, VI as inserted by section 25 of the bill by replacing line 2 with the following: ~~the agent shall thereupon issue a~~] Nonresident hunting license, which shall entitle the licensee to

Amend RSA 214:9, VII-a as inserted by section 25 of the bill by replacing line 2 with the following: ~~RSA 207:1, XXVI, $52, and the agent shall thereupon issue a~~] Nonresident small game license, which

Amend RSA 214:9, VII-b as inserted by section 25 of the bill by replacing line 3 with the following: nonresident small game license, which shall entitle the licensee to hunt, shoot, or take small game ***as***

Amend RSA 214:9, VIII as inserted by section 25 of the bill by replacing line 2 with the following: ~~species of freshwater fish, $51, and the agent shall thereupon issue a~~] Nonresident fishing license,

Amend RSA 214:9, X(a) as inserted by section 25 of the bill by replacing line 2 with the following: Pheasant license or stamp, which shall entitle the licensee to hunt, shoot, kill, and take, except by the

Amend RSA 214:9, XII as inserted by section 25 of the bill by replacing line 2 with the following: ~~thereupon issue a state~~] Migratory waterfowl license, which shall entitle the licensee to hunt, shoot,

Amend RSA 214:9, XVI(a) as inserted by section 25 of the bill by replacing line 4 with the following: Recreational saltwater license, which shall entitle the licensee, ***16 years of age or older,*** to take,

Amend RSA 214:34, I as inserted by section 28 of the bill by replacing it with the following:

I. No person shall take ***with the intent to sell,*** sell, or offer to sell live fish ***or aquatic invertebrates*** for bait without first procuring a license to do so.

Adopted.

HB 292, expanding the good Samaritan law to engineers and architects.

Amendment (2106-EBA)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Contingent Renumbering. If HB 415 of the 2015 regular legislative session becomes law, RSA 508:12-c as inserted by section 1 of this act shall be renumbered as RSA 508:12-d.

Adopted.

HB 333, establishing a process for review and reporting of dedicated funds.

Amendment (2120-EBA)

Amend section 1 by replacing line 1 with the following:

1 New Sections; State Treasurer and Accounts; Joint Committee on Dedicated Funds; Agency

Adopted.

CONFEREE CHANGES

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.
Rep. Gargasz replaced Rep. Ferreira.

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards.
Rep. Hinch replaced Rep. McMahon.
Rep. Fields replaced Rep. MacKay.
Rep. MacKay replaced Rep. Fields.
Rep. McMahon replaced Rep. Hinch as Chairman.
Rep. Hinch replaced Rep. McMahon.

SB 169, relative to the use of electronic benefits transfer (EBT) cards.
Rep. Hinch replaced Rep. McMahon.
Rep. Kotowski appointed as Chairman.
Rep. Fields replaced Rep. MacKay.

RECESS

(Rep. Chandler in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 133, 187, 206, 233, 258, 281, 328, 332, 344, 347, 415 and 519 and Senate Bills numbered 35, 41, 50, 63, 73, 88, 93, 213 and 242.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

SB 179, relative to eligibility to vote and relative to availability of voter information. (Amendment printed SJ 6-11-15)
Adopted.

SB 190-FN, relative to payment of costs for career and technical education center programs and administration by the department of education. (Amendment printed SJ 6-11-15)
Adopted.

SB 191-FN, relative to the use of the state's procurement card services. (Amendment printed SJ 6-11-15)
Adopted.

SB 221-FN, relative to electric rate reduction financing. (Amendment printed SJ 6-11-15)
Adopted.

SB 232-FN-A, exempting certain leases from the real estate transfer tax. (Amendment printed SJ 6-11-15)
Adopted.

CONFEREE CHANGES

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.
Rep. Weyler replaced Rep. Wallner.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.
Rep. Weyler replaced Rep. Wallner.

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.
Rep. Ferreira replaced Rep. Gargasz.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILL AMENDMENTS

HB 225, requiring the defendant to personally appear in the courtroom during a victim impact statement.

Amendment (2219-EBA)

Amend RSA 651:4-a as inserted by section 1 of the bill by replacing line 9 with the following: may appear personally or by counsel and may reasonably express his ***or her*** views concerning the offense,
Adopted.

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones.

Amendment (2209-EBA)

Amend RSA 106-H:9, I-a(j) as inserted by section 6 of the bill by replacing it with the following:

(j) Whenever lawful, providers and sellers of prepaid commercial mobile radio service shall put forth reasonable good faith efforts to cooperate with and provide timely and reasonable assistance to the division, its E911 telecommunications supervisors and investigative or law enforcement officers of this state, or any town, city, or county in this state, in connection with locating the source of any emergency E911 call or lawful investigation or activity by such telecommunications supervisor or law enforcement officer. In such instances, providers and sellers of prepaid commercial mobile radio service shall not be liable for damages to any person resulting from or incurred in connection with the provision of such lawful assistance.
Adopted.

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act.

Amendment (2190-EBA)

Amend RSA 541-A:22, II as inserted by section 8 of the bill by replacing line 2 with the following: unless ***they have expired or have been*** amended or revised or unless a court of competent
Adopted.

HB 464, establishing the traditional commercial and recreational fishing protection act, prohibiting political subdivisions from interfering with commercial and recreational operations, relative to protective well radii for sewage disposal systems of commercial buildings, and relative to rulemaking by the commissioner of environmental services on certain minimal impact projects.

Amendment (2284-EBA)

Amend RSA 674:67 as inserted by section 2 of the bill by replacing line 1 with the following:
674:67 Definitions. In this subdivision:
Amend RSA 674:67, I as inserted by section 2 of the bill by replacing lines 4 and 5 with the following: prepare finfish or shellfish for refrigeration, conducted by any person licensed to take, possess, land, or transport, on the waters of New Hampshire, any marine species by any method for the purpose of
Adopted.

HB 484, relative to medication administration by licensed nursing assistants and relative to exemptions from regulation for certain nursing care and attendant care services.

Amendment (2285-EBA)

Amend RSA 332-K:1 as inserted by section 2 of the bill by replacing lines 2 through 7 with the following:
Persons.

I. No provision of Title XXX shall prohibit the following care:

(a) Nursing care provided by family and friends.

(b) Consumer directed attendant care services directed by or on behalf of an individual with a disability of any age who requires assistance with such services in order to live in his or her home and community, including a residential care facility.

II. For the purpose of this section:
Adopted.

HB 506, clarifying the conditions under which motor vehicle information may be used.

Amendment (2294-EBA)

Amend section 6 of the bill by replacing line 1 with the following:
6 Motor Vehicle Records; Definition. Amend RSA 260:14, I(a) to read as follows:
Adopted.

SB 192-FN, permitting the department of revenue administration to conduct employee candidate background checks and establishing the position of tax policy analyst within the department. (Amendment printed SJ 6-24-15)
Adopted.

RECESS

(Speaker Jasper in the Chair)

Rep. Hinch moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL No. 18

Wednesday, June 24, 2015

The House assembled at 10:00 a.m. and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Father Andrew Nelson, son of Representative Nelson and Parochial Vicar at Good Shepherd and Holy Family Parishes in Berlin and Gorham.
Heavenly Father, as we begin this day, we pause to honor two of our brothers, Representative Robbie Parsons of Milton, and the Honorable Warren Leary, retired House Sergeant-at-Arms, who have been called from this earth. We give You thanks for their lives, for their service, and for their dedication to making this great state better for generations to come. We pray also for our brothers and sisters in South Carolina, who this week lay to rest so many, who in their lives and deaths, have witnessed not only to the prophets of faith, but also forgiveness and unity. As we gather in this historic chamber, we ask that You pour forth Your spirit of wisdom into our hearts, so that we may stand resolute in the pursuit of truth and justice, and united in protecting and promoting the dignity of all. May principles of truth always carry the day, and may our voices rise prophetically for the least of our brothers and sisters. May the barriers of politics and party in this chamber and in the State House be torn down and replaced by a common mission to improve the lives of all of New Hampshire citizens. May the principles of respect, civility, and integrity define our discourse this day and always. May we have the humility to do what is right, and the courage to face the consequences. May our citizens and all those who have sacrificed their lives, fortunes, and honor in defense of our nation see in what we do this day reason for hope. Amen.

Representative John Burt, member from Goffstown, led the Pledge of Allegiance.

The National Anthem was sung by members of the St. Paul's Church choir in Concord, under the direction of Mark Pace, Director of Music Ministries.

UNANIMOUS CONSENT

Rep. Mullen requested Unanimous Consent of the House regarding memorial remarks for the member from Milton, the Honorable Robbie Parsons.
Rep. Mullen addressed the House.

MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Rep. Mullen be printed in the Permanent Journal.

REMARKS

Rep. Mullen: Thank you, Mister Speaker. Monday, the New Hampshire House of Representatives lost one of its distinguished members, Robbie Parsons. He lost his struggle with cancer, which he fought with all his might. He was a dedicated legislator, which began in 2010 and was passionate about preserving the freedoms that the people of New Hampshire enjoy. He was tireless in his dedication to his family, the people of Milton and Middleton and was most proud to be a member of this distinguished body. I was first introduced to Robbie in 2012 when I was considering a run as a State Representative. His wisdom of the process and his dedication to the constitution were inspiring. We became close friends and would discuss the events of the day on a weekly basis. While we did not agree on all things, we certainly talked about them and learned from our discussions. Robbie was one to never give up. Many times in the last couple of years he would be too tired to drive up to Concord for a Session, but he would ride with me and sit through many Sessions to ensure that he could represent his constituents. I will miss him for his sense of humor, his passion for the ideals he so strongly believed in and his commitment to civic service. May our prayers and good thoughts go to his wife, Lynda, and his family. God bless you Robbie Parsons.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Milton, the Honorable Robbie Parsons.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the Declaration read by the Speaker be printed in the Permanent Journal. Motion adopted.

HOUSE DECLARATION

IN MEMORY OF

Former State Representative
and House Sergeant-at-Arms
The Honorable Warren W. Leary, Jr.

WHEREAS, Warren W. Leary, Jr. was born in Clinton, MA, but would end up devoting a lifetime of public service to New Hampshire, the state he adopted and loved so much, calling Alton Bay his home for the past 45 years; and

WHEREAS, Warren served in the state legislature for one term as a member of the Liquor Laws Committee; and

WHEREAS, He would go on to become the longest serving Sergeant-at-Arms in the history of the New Hampshire House of Representatives, serving from 1975-1996; and

WHEREAS, He would also serve on the Pari Mutual/Racing and Gaming Commission from 1996-2013; and

WHEREAS, He was also a veteran of the United States Navy and a member of the Claude R. Batchelder Post #72 of the American Legion; and

WHEREAS, He was proud to be a Master Mason, 32nd Degree Mason of the Scottish Rite, a member of the Shriner Bektash Temple, the Heroes of 76, the Swords of Bunker Hill, the National Masonic Sojourners, and recipient of the Major General John Sullivan Award; and

WHEREAS, Warren W. Leary, Jr. will live on in the memories of his loving wife, Nancy, and his four sons: Warren III, Kevin, William Parker, Bruce Parker, and his five grandchildren and five great grandchildren; and

DECLARED, that the New Hampshire House of Representatives, by virtue of the Speaker's signature inscribed below, extends its gratitude for Warren W. Leary, Jr.'s lifetime of distinguished public service to New Hampshire; and be it further

DECLARED, that a suitable copy of this Declaration be presented to the family of Warren W. Leary, Jr. with our admiration and deepest condolences on his recent passing.

Offered on this 24th day of June, 2015 by members of the New Hampshire House of Representatives.

Shawn N. Jasper, Speaker of the House

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Alton, the Honorable Warren W. Leary, Jr.

ANNOUNCEMENT OF AWARDS

The Speaker recognized and congratulated Rep. Steven Smith for being chosen by the Council of State Governments Eastern Regional Conference to attend the Robert J. Thompson Eastern Leadership Academy at the Fels Institute of Government located at the University of Pennsylvania in Philadelphia.

The Speaker recognized and congratulated Rep. Claire Rouillard for being chosen by the Council of State Governments to receive the Henry Toll Fellowship and to attend an intensive "intellectual boot camp" in Lexington, Kentucky.

LEAVES OF ABSENCE

Reps. Friel, Gardner, Sanders, Webb and Wood, the day, illness.

Reps. Duane Brown, Flanders, Halstead, Martha Hennessey, Kolodziej, Leishman, Dan McGuire, Notter, Parison, Souza, Spillane, Tamburello and Joanne Ward, the day, important business.

Rep. DeLemus, the day, illness in the family.

Reps. Murotake and Pitre, the day, death in the family.

INTRODUCTION OF GUESTS

Phyllis Burt, wife of Rep. Burt. Omar Hajajreh, guest of Rep. Higgins. Christina Larkin, Sadie and Hunter Burns, guests of Rep. Avellani. Marie and Jillian MacGregor, guests of Rep. Mangipudi. Scott Osgood and David Wolpert, guests of Reps. Barbara French and Hirsch. Ken Hill and Cindy Stanton, guests of Rep. Ticehurst. Cyan Fields, granddaughter of Rep. Fields. Ann and Penny Saunderson, wife and granddaughter of Rep. Saunderson. Ian Nelson and Noah Crear-Nelson, grandchildren of Rep. Nelson. Jaeda Rochford-Hague, and Alicia and Julia Dutton, guests of Rep. Irwin.

HOUSE RESOLUTION NO. 14

Reps. Flanagan and Shurtleff offered the following:

WHEREAS, the New Hampshire House of Representatives learned with great sorrow of the tragic shooting of church-goers in Charleston, South Carolina; and

WHEREAS, all Americans are entitled to life, liberty and the pursuit of happiness and the free exercise of their religion without fear; and

WHEREAS, the New Hampshire House has a long-standing history of affirming its support for communities, states and nations throughout the world, especially in times of distress; now, therefore, be it

RESOLVED, that the new Hampshire House of Representatives honors the victims of the shooting at Emanuel African Methodist Episcopal Church and offers its condolences to the families of the victims; and be it further

RESOLVED, that the House of Representatives in regular session convened, stands with the community of Charleston, South Carolina and offers its support, love and prayers.

Offered and adopted unanimously by the New Hampshire House of Representatives.

MOMENT OF SILENCE

A moment of silence was observed in memory of the victims of the shooting at Emanuel African Methodist Episcopal Church in Charleston, South Carolina.

MOTION TO SUSPEND HOUSE RULES

Reps. Flanagan and Shurtleff moved that all necessary House Rules be so far suspended as to permit introduction and consideration, and, if passed, immediate third reading of ***HJR 2,*** making temporary appropriations for the expenses and encumbrances of the State of New Hampshire.

Rep. Hinch spoke in favor.

Rep. William O'Brien spoke against and requested a roll call; sufficiently seconded.

YEAS 279 - NAYS 71

YEAS - 279

BELKNAP

Dumais, Russell	Fields, Dennis	Fraser, Valerie	Luther, Robert
Russell, David	Spanos, Peter	Tilton, Franklin	Vadney, Herbert

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Tholl, John	Thomas, Yvonne		

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Higgins, Patricia
Hull, Robert
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Shackett, Jeffrey
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Marple, Richard
McGuire, Carol
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Cook, Allen
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Sytek, John
Thomas, Douglas
True, Chris
Ward, Gerald
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William, Berube, Roger, Bickford, David, Bixby, Peter
Cheney, Catherine, Cilley, Jacalyn, DiSesa, Len, Gray, James
Hannon, Joseph, Horrigan, Timothy, Jones, Laura, Kaen, Naida
Leeman, Don, Mullen, John, Rollo, Deanna, Schmidt, Peter
Smith, Marjorie, Southworth, Thomas, Spang, Judith, Stevens, Audrey
Treleaven, Susan, Wall, Janet, Ward, Kenneth

SULLIVAN

Cloutier, John, Converse, Larry, Gagnon, Raymond, Gottling, Suzanne
Grenier, James, Irwin, Virginia, Laware, Thomas, O'Hearne, Andrew
Oxenham, Lee, Rollins, Skip, Schmidt, Andrew, Smith, Steven

NAYS - 71

BELKNAP

Aldrich, Glen, Gallagher, Brian, Howard, Jr., Raymond, Hurt, George
LeBreche, Shari, Sylvia, Michael, Varney, Peter

CARROLL

Avellani, Lino, Comeau, Ed, Cordelli, Glenn, McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim

GRAFTON

Johnson, Eric

HILLSBOROUGH

Adams, Christopher, Ammon, Keith, Boehm, Ralph, Burt, John
Christie, Rick, Coffey, James, Eastman, Eric, Estevez, Eric
Ferreira, Elizabeth, Fromuth, Bart, Gonzalez, Carlos, Gould, Linda
Goulette, William, Hansen, Peter, Hogan, Edith, Marston, Dick
Martel, Andre, McClarren, Donald, McLean, Mark, Moore, Josh
Murphy, Keith, O'Brien, William, Ohm, Bill, Sanborn, Laurie
Seidel, Carl, Sweeney, Shawn, Twombly, Timothy, Ulery, Jordan

MERRIMACK

Brewster, Michael, French, Harold, Hill, Gregory, Hoell, J.R.
Martin, John, Seaworth, Brian

ROCKINGHAM

Abramson, Max, Allen, Mary, Baldasaro, Alfred, Bush, Carol
Duarte, Joe, Gannon, William, Gordon, Richard, Harris, Jeffrey
Kappler, Lawrence, Kellogg, Shem, Oligny, Jeffrey, Osborne, Jason
Tasker, Kyle, Tucker, Pamela, Vose, Michael

STRAFFORD

Beaudoin, Steven, Groen, Warren, Kaczynski, Jr., Thomas, Knowles, Robert
Turcotte, Leonard, Whitehouse, Joshua, Wuelper, Kurt

SULLIVAN

Bridge, Ernest

and the motion was adopted by the necessary two-thirds.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 449, 451, 472, 476, 493, 553, 564, 597 and 616 and Senate Bills numbered 29, 55, 104, 106, 111, 112, 116, 119, 125, 132, 133, 145, 160, 163, 186, 189, 211, 223 and 241.

Rep. Hinch, Sen. Prescott for the Committee

COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS

COMMITTEE OF CONFERENCE REPORT ON SB 32

Committee of Conference Report on SB 32, an act relative to state agency budgetary reporting requirements.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Bradley, Dist. 3; Little, Dist. 8; and D'Allesandro, Dist. 20.

Conferees: Reps. Lynne Ober, Hills. 37; Kurk, Hills. 2; Spanos, Belk. 3; and Leishman, Hills. 34.

Rep. Lynne Ober moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 84

Committee of Conference Report on SB 84, an act relative to the definition of "telemedicine".

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Controlled Drug Act, Acts Prohibited. Amend RSA 318-B:2 by inserting after paragraph XII-e the following new paragraph:

XII-f. It shall be unlawful for any person to prescribe by means of telemedicine a controlled drug classified in schedule II through IV.

4 New Paragraph; Controlled Drug Act; Acts Prohibited; Exceptions. Amend RSA 318-B:2 by inserting after paragraph XV the following new paragraph:

XVI.(a) The prescribing of a non-opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating patients at a state designated community mental health center pursuant to RSA 135-C or at a Substance Abuse and Mental Health Services Administration (SAMHSA)-certified state opioid treatment program, and shall require an initial in-person exam by a practitioner licensed to prescribe the drug. Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually.

(b) The prescribing of an opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating patients at a SAMHSA-certified state opioid treatment program. Such prescription authority shall require an initial in-person exam by a practitioner licensed to prescribe the drug and subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and opioid, but not less than annually.

5 Physicians and Surgeons; Physician-Patient Relationship. Amend RSA 329:1-c to read as follows:

329:1-c Physician-Patient Relationship. "Physician-patient relationship" means a medical connection between a licensed physician and a patient that includes an in-person ***or face-to-face 2-way real-time interactive communication*** exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage. A licensee may prescribe for a patient whom the licensee does not have a physician-patient relationship under the following circumstances: writing admission orders for a newly hospitalized patient; for a patient of another licensee for whom the prescriber is taking call; for a patient examined by a physician assistant, nurse practitioner, or other licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment or when providing limited treatment to a family member in accordance with the American Medical Association Code of Medical Ethics. Prescribing drugs to individuals without a physician-patient relationship shall be unprofessional conduct subject to discipline under RSA 329:17, VI. The definition of a physician-patient relationship shall not apply to a physician licensed in another state who is consulting to a New Hampshire licensed physician with whom the patient has a relationship.

6 New Section; Physicians and Surgeons; Definition of "Telemedicine"; Exceptions. Amend RSA 329 by inserting after section 1-c the following new section:

329:1-d Telemedicine.

I. "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. "Telemedicine" shall not include the use of audio-only telephone or facsimile.

II. An out-of-state physician providing services by means of telemedicine shall be deemed to be in the practice of medicine and shall be required to be licensed under this chapter. This paragraph shall not apply to out-of-state physicians who provide consultation services pursuant to RSA 329:21, II.

III. It shall be unlawful for any person to prescribe by means of telemedicine a controlled drug classified in schedule II through IV.

IV.(a) The prescribing of a non-opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating patients at a state designated community mental health center pursuant to RSA 135-C or at a Substance Abuse and Mental Health Services Administration (SAMHSA)-certified state opioid treatment program, and shall require an initial in-person exam by a practitioner licensed to prescribe the drug. Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually.

(b) The prescribing of an opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating patients at a SAMHSA-certified state opioid treatment program. Such prescription authority shall require an initial in-person exam by a practitioner licensed to prescribe the drug and subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and opioid, but not less than annually.

V. A physician providing services by means of telemedicine directly to a patient shall:

(a) Use the same standard of care as used in an in-person encounter;

(b) Maintain a medical record; and

(c) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate.

VI. Under this section, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

7 New Paragraph; Nurse Practice Act; Definition Added. Amend RSA 326-B:2 by inserting after paragraph I the following new paragraph:

I-a. "Advanced practice registered nurse-patient relationship" means a medical connection between a licensed APRN and a patient that includes an in-person or face-to-face 2-way real-time interactive communication exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage. A licensee may prescribe for a patient whom the licensee does not have an APRN-patient relationship under the following circumstances: writing admission orders for a newly hospitalized patient; for a patient of another licensee for whom the prescriber is taking call; for a patient examined by another licensed practitioner; or for medication on a short-term basis for a new patient prior to the patient's first appointment.

8 New Paragraph; Nurse Practice Act; Definition Added. Amend RSA 326-B:2 by inserting after paragraph XI the following new paragraph:

XII.(a) "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment. "Telemedicine" shall not include the use of audio-only telephone or facsimile.

(b) An out-of-state APRN providing services by means of telemedicine shall be deemed to be in the practice of medicine and shall be required to be licensed under this chapter.

(c) It shall be unlawful for any person to prescribe by means of telemedicine a controlled drug classified in schedule II through IV.

(d)(1) The prescribing of a non-opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating patients at a state designated community mental health center pursuant to

RSA 135-C or at a Substance Abuse and Mental Health Services Administration (SAMHSA)-certified state opioid treatment program, and shall require an initial in-person exam by a practitioner licensed to prescribe the drug. Subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition and drug, but not less than annually.

(2) The prescribing of an opioid controlled drug classified in schedule II through IV by means of telemedicine shall be limited to prescribers as defined in RSA 329:1-d, I and RSA 326-B:2, XII(a), who are treating patients at a SAMHSA-certified state opioid treatment program. Such prescription authority shall require an initial in-person exam by a practitioner licensed to prescribe the drug and subsequent in-person exams shall be by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and opioid, but not less than annually.

(e) An APRN providing services by means of telemedicine directly to a patient shall:

(1) Use the same standard of care as used in an in-person encounter;

(2) Maintain a medical record; and

(3) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate.

(f) Under this section, Medicaid coverage for telehealth services shall comply with the provisions of 42 C.F.R. section 410.78 and RSA 167:4-d.

9 Contingency. If SB 112 of the 2015 regular session becomes law, section 2, paragraph VI of section 6, and subparagraph XII(f) of section 8 of this act shall take effect at 12:01 a.m. on the effective date of SB 112. If SB 112 does not take effect section 2, paragraph VI of section 6, and subparagraph XII(f) of section 8 of this act shall not take effect.

10 Effective Date.

I. Section 2, paragraph VI of section 6, and subparagraph XII(f) of section 8 of this act shall take effect as provided in section 9 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Conferees: Sens. Sanborn, Dist. 9; Stiles, Dist. 24; and Kelly, Dist. 10.

Conferees: Reps. Fothergill, Coos 1; Kotowski, Merr. 24; Martel, Hills. 44; and Ticehurst, Carr. 3.

Rep. Fothergill moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 97

Committee of Conference Report on SB 97, an act authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 149-I:6, I-a as inserted by section 1 of the bill by replacing it with the following:

I-a. In municipalities where stormwater is collected and discharged, the mayor and aldermen or town governing body may, with the advice of the planning board when requested by the governing body, adopt such ordinances and bylaws as are required for the proper maintenance and operation of the stormwater system or stormwater utility and any appurtenant structures, and to promote flood control and erosion control, water quality management, ecological preservation, management of annual pollutant load contained in stormwater discharge, and municipal compliance with applicable state and federal stormwater laws and regulations.

Amend the bill by replacing section 2 with the following:

2 Duties of the Planning Board. Amend RSA 674:1, II to read as follows:

II. The planning board may:

(a) From time to time report and recommend to the appropriate public officials and public agencies programs for the development of the municipality, programs for the erection of public structures, and programs for municipal improvements. Each program shall include recommendations for its financing. It shall be part of the planning board's duties to consult with and advise public officials and agencies, public utility companies, civic ***organizations***, educational ***organizations***, professional ***organizations***, research ***organizations***, and other organizations, and to consult with citizens, for the purposes of protecting or carrying out of the master plan as well as for making recommendations relating to the development of the municipality.

(b) Upon request advise the governing body as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems under RSA 146-I:6, I-a are consistent with the master plan.

Amend the bill by deleting section 3 and renumbering the original section 4 to read as 3.

AMENDED ANALYSIS

This bill authorizes municipalities to regulate stormwater in order to comply with federal and state laws and regulations.

This bill also authorizes planning boards to advise governing bodies as to whether proposed ordinances and bylaws regarding the maintenance and operation of stormwater systems comply with the master plan.

Conferees: Sens. Birdsell, Dist. 19; Boutin, Dist. 16; and Lasky, Dist. 13.

Conferees: Reps. James Belanger, Hills. 27; Coffey, Hills. 25; Porter, Hills. 1; and Sterling, Ches. 14.

Rep. James Belanger moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 99

Committee of Conference Report on SB 99, an act establishing a committee to study the sampling of beer or wine at farmer's markets.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Prescott, Dist. 23; Bradley, Dist. 3; and Feltes, Dist. 15.

Conferees: Reps. Hunt, Ches. 11; Jones, Straf. 24; Abel, Graf. 13; and Biggie, Hills. 23.

Rep. Hunt moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 120-FN

Committee of Conference Report on SB 120-FN, an act relative to applicants for secondary game operator licenses.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Secondary Game Operator License Application; Specific Requirements. Amend RSA 287-D:10 by inserting after paragraph V the following new paragraph:

VI. Upon receipt of a completed application under this section, and at the request of the applicant, the commission may issue a provisional license, valid for up to 60 days, under rules adopted by the commission under RSA 541-A. If the commission denies the license, the provisional license shall expire upon the applicant's receipt of such denial. If the applicant requests a provisional license under this paragraph, he or she shall submit a fee of $10 to the commission, in addition to the application fee for the license, at the time of such request.

Conferees: Sens. Boutin, Dist. 16; Daniels, Dist. 11; and Feltes, Dist. 15.

Conferees: Reps. Abrami, Rock. 19; Henle, Merr. 12; Leeman, Straf. 23; and Manning, Rock. 8.

Rep. Abrami moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 135-FN

Committee of Conference Report on SB 135-FN, an act relative to lead poisoning in children.

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 130-A:6-a, III as inserted by section 4 of the bill by replacing it with the following:

III. ***In circumstances where the presence of a lead exposure hazard is unsuspected, and becomes known only after the dwelling or dwelling unit has been rented to a family with a child, the owner may withdraw the unit from the residential rental market in lieu of undertaking reduction of the lead exposure hazard. In such case the owner may bring an action to evict the family but only if the owner fulfills all of the conditions set forth in RSA 130-A:8-a, II. The dwelling unit shall not be subsequently rented for residential purposes without reduction of all lead exposure hazards associated with the unit.***

Amend RSA 130-A:19, IX as inserted by section 6 of the bill by replacing it with the following:

IX. The commission shall review and assess effective and practicable means by which municipal and local building officials may help ensure contractors and property owners are informed about lead-safe renovation, repair, and painting practices, including the existing federal Renovation, Repair and Painting Program.

X. The commission shall submit an annual report of its activities, together with recommendations for legislation commencing on December 1, 2016 to the president of the senate, the speaker of the house of representatives, the governor, and the state library.

Amend the bill by replacing section 7 with the following:

7 Lead Paint Poisoning Prevention; Civil Suits. Amend RSA 130-A:18 to read as follows:

130-A:18 Civil Suits. Owners of pre-1978 rental housing and childcare facilities shall take reasonable care to prevent exposure to, and the creation of, lead hazards. Notwithstanding any provision of law to the contrary, the mere presence of a lead base substance shall not constitute negligence on the part of an owner of any dwelling. To establish negligence on the part of an owner, the plaintiff in a civil suit shall demonstrate actual injury caused by the lead base substance. Evidence of actions taken or not taken by the owner of a pre-1978 rental property or childcare facility in compliance with applicable public health laws and regulations concerning lead may be admissible evidence of reasonable care or negligence. Remedial actions taken by a property owner after a lead exposure has occurred shall not be admissible evidence for purposes of establishing liability. Evidence of a tenant's disturbance of painted surfaces containing lead paint also shall be admissible evidence. In addition, the mere presence of a lead base substance in a dwelling shall not by itself violate any warranty of habitability.

AMENDED ANALYSIS

This bill:

I. Changes the notice requirements for blood lead levels found in a child's blood.

II. Establishes the childhood poisoning prevention and lead screening commission to assess existing screening rates in relation to the department of health and human services' screening guidelines.

Conferees: Sens. Sanborn, Dist. 9; Avard, Dist. 12; and Kelly, Dist. 10.

Conferees: Reps. Nelson, Carr. 5; LeBrun, Hills. 32; Snow, Hills. 42; and Pamela Gordon, Rock. 29.

Rep. Nelson moved the adoption of the Committee of Conference Report.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 249 - NAYS 103

YEAS - 249

BELKNAP

Dumais, Russell	Fields, Dennis	Gallagher, Brian	LeBreche, Shari
Luther, Robert	Russell, David	Tilton, Franklin	

CARROLL

Butler, Edward	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Nelson, Bill	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Hennessey, Erin
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Donovan, Daniel
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Guerette, C. Lee
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
Martel, Andre
McCarthy, Peggy
McNamara, Richard
O'Brien, Michael
O'Neil, William
Ober, Lynne
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
Gile, Mary
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Christie, Andrew
Cushing, Robert
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gordon, Pamela
Griffin, Mary
Harris, Jeffrey
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Rice, Frederick
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Sytek, John
True, Chris
Ward, Gerald
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Baber, William
Beaudoin, Steven
Bixby, Peter
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Knowles, Robert
Leeman, Don
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew
Smith, Steven

NAYS - 103

BELKNAP

Aldrich, Glen
Fraser, Valerie
Howard, Jr., Raymond
Hurt, George
Spanos, Peter
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Buco, Thomas
Comeau, Ed
McCarthy, Frank
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rideout, Leon

GRAFTON

Bailey, Brad
Gionet, Edmond
Hull, Robert
Johnson, Eric
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Burt, John
Christie, Rick
Coffey, James
Danielson, David
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Hopper, Gary
Lachance, Joseph
Marston, Dick
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
O'Brien, William
Ober, Russell
Ohm, Bill
Peterson, Ken
Rice, Kimberly
Sanborn, Laurie
Simmons, Tammy
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Bates, David
Bush, Carol
Chase, Francis
Chirichiello, Brian
Cook, Allen
Dean-Bailey, Yvonne
Duarte, Joe
Emerick, J. Tracy
Gannon, William
Gordon, Richard
Green, Dennis
Guthrie, Joseph
Hodgdon, Bruce
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Lundgren, David
Oligny, Jeffrey
Osborne, Jason
Prudhomme-O'Brien, Katherine
Tasker, Kyle
Thomas, Douglas
Tucker, Pamela
Vose, Michael

STRAFFORD

Berube, Roger
Bickford, David
Cheney, Catherine
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Mullen, John
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest Laware, Thomas Rollins, Skip

and the Committee of Conference Report was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 151-FN

Committee of Conference Report on SB 151-FN, an act requiring inclusion of home educated pupils in the definition of average daily membership in attendance.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Reagan, Dist. 17; Avard, Dist. 12; and Watters, Dist. 4.

Conferees: Reps. Ladd, Graf. 4; Balcom, Hills. 21; Umberger, Carr. 2; and Shaw, Hills. 16.

Rep. Ladd moved the adoption of the Committee of Conference Report.

On a division vote, 322 members having voted in the affirmative and 26 in the negative, the Committee of Conference Report was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 169

Committee of Conference Report on SB 169, an act relative to permissible uses of electronic benefit transfer (EBT) cards.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as passed by the Senate.

Conferees: Sens. Sanborn, Dist. 9; Avard, Dist. 12; and Bradley, Dist. 3.

Conferees: Reps. Kotowski, Merr. 24; Hinch, Hills. 21; LeBrun, Hills. 32; and Fields, Belk. 4.

Rep. Kotowski moved the adoption of the Committee of Conference Report and spoke in favor.

Rep. Weber spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 213 - NAYS 143

YEAS - 213

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fraser, Valerie
Gallagher, Brian	Howard, Jr., Raymond	Hurt, George	LeBreche, Shari
Luther, Robert	Russell, David	Spanos, Peter	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Hunt, John	McConnell, Jim	Roberts, Kris	Sterling, Franklin
Tilton, Benjamin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Shackett, Jeffrey			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Boehm, Ralph
Burt, John	Byron, Frank	Christensen, Chris	Christiansen, Lars
Christie, Rick	Coffey, James	Danielson, David	Donovan, Daniel
Eastman, Eric	Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn
Gonzalez, Carlos	Gould, Linda	Griffin, Barbara	Haefner, Robert
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Infantine, William	Jeudy, Jean	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Martel, Andre	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murphy, Keith	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Proulx, Mark
Rice, Kimberly	Rouillard, Claire	Rowe, Robert	Sanborn, Laurie
Scontsas, Lisa	Seidel, Carl	Shaw, Barbara	Simmons, Tammy
Smith, Gregory	Straight, Phillip	Sullivan, Victoria	Sweeney, Shawn
Takesian, Charlene	Twombly, Timothy	Ulery, Jordan	Wolf, Terry

MERRIMACK

Brewster, Michael	Ebel, Karen	Hess, David	Hill, Gregory
Hirsch, Geoffrey	Hoell, J.R.	Horn, Werner	Kidder, David
Kotowski, Frank	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	Moffett, Howard	Saunderson, George
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Gannon, William
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Osborne, Jason	Packard, Sherman	Peckham, Michele
Potucek, John	Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam
Sweeney, Joe	Sytek, John	Thomas, Douglas	True, Chris
Tucker, Pamela	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	O'Hearne, Andrew
Rollins, Skip	Smith, Steven		

NAYS - 143

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Booras, Efstathia	Brown, Pamela
Cohen, Alan	Cornell, Patricia	Cote, David	DiSilvestro, Linda
Forest, Armand	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Goulette, William	Guerette, C. Lee	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Jack, Martin
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
McNamara, Richard	O'Brien, Michael	O'Neil, William	Porter, Marjorie
Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Vann, Ivy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
French, Harold	Gile, Mary	Henle, Paul	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Gordon, Richard	Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca
Moody, Marcia	Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis
Tasker, Kyle	Vose, Michael	Ward, Gerald	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Cilley, Jacalyn
DiSesa, Len	Horrigan, Timothy	Kaen, Naida	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	Oxenham, Lee	Schmidt, Andrew	

and the Committee of Conference Report was adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 170

Committee of Conference Report on SB 170, an act requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 3 with the following:

3 Energy Facility Evaluation Siting, Construction and Operation; Rules. Amend RSA 162-H:10, VII to read as follows:

VII. As soon as practicable but no later than [~~July 1~~] ***November 1***, 2015, the committee shall adopt rules, pursuant to RSA 541-A, relative to the organization, practices, and procedures of the committee and criteria for the siting of energy facilities, including specific criteria to be applied in determining if the requirements of RSA 162-H:16, IV have been met by the applicant for a certificate of site and facility. Prior to the adoption of such rules, the office of energy and planning shall hire and manage one or more consultants to conduct a public stakeholder process to develop recommended regulatory criteria, which may include consideration of issues identified in attachment C of the 2008 final report of the state energy policy commission, as well as others that may be identified during the stakeholder process. ***Except for the cases where the adjudicatory hearing has commenced, applications pending on the date rules adopted under this paragraph take effect shall be subject to such rules. Prior to the adoption of rules under this paragraph, applications shall be continuously processed pursuant to the rules in effect upon the date of filing. If the rules require the submission of additional information by an applicant, such applicant shall be afforded a reasonable opportunity to provide that information while the processing of the application continues.***

Conferees: Sens. Bradley, Dist. 3; Prescott, Dist. 23; and Feltes, Dist. 15.

Conferees: Reps. Doug Thomas, Rock. 5; Baber, Straf. 14; Richardson, Coos 4; and Devine, Rock. 4.

Rep. Doug Thomas moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 235

Committee of Conference Report on SB 235, an act relative to the condominium act and the land sales full disclosure act.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House

Conferees: Sens. Birdsell, Dist. 19; Stiles, Dist. 24; and Kelly, Dist. 10.

Conferees: Reps. Sterling, Ches. 14; Peterson, Hills. 7; Carson, Merr. 7; and Tatro, Ches. 15.

Rep. Sterling moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 254

Committee of Conference Report on SB 254, an act establishing a committee to study the provisions of services to the public through peer-to-peer or sharing economy businesses.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

Conferees: Sens. Prescott, Dist. 23; Bradley, Dist. 3; and Soucy, Dist. 18.

Conferees: Reps. Hunt, Ches. 11; Jones, Straf. 24; Hannon, Straf. 25; and Williams, Hills. 4.

Rep. Hunt moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

COMMITTEE OF CONFERENCE REPORT ON SB 266-FN

Committee of Conference Report on SB 266-FN, an act adopting the Uniform Securities Act.
Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 421-B:301 as inserted by section 1 of the bill by replacing it with the following:

421-B:301 Securities Registration Requirement.

(a) It is unlawful for a person to offer or sell a security in this state unless:

(1) the security is a federal covered security;

(2) the security, transaction, or offer is exempted from registration under RSA 421-B:2-201 through RSA 421-B:2-203; or

(3) the security is registered under this chapter.

(b) Articles of incorporation for a new corporation or an application for a certificate of authority for a foreign corporation under RSA 293-A, articles of incorporation for a professional corporation or an application for a certificate of authority for a foreign professional corporation under RSA 294-A, an application for registration of a registered limited liability partnership or a notice of registration of a foreign registered limited liability partnership under RSA 304-A, a certificate of limited partnership for a new limited partnership or an application for registration of a foreign limited partnership under RSA 304-B, a certificate of formation for a new limited liability company or an application for registration as a foreign limited liability company under RSA 304-C, and a certificate of formation for a new professional limited liability company or an application for registration as a foreign professional limited liability company under RSA 304-D shall contain a statement that the capital stock of the corporation, memberships, or the interests of the limited partnership, limited liability partnership, or limited liability company have been registered, or when offered will be registered, under this chapter or are exempted, or when offered will be exempted, under this chapter, or are or will be offered in a transaction exempted from registration under this chapter, or are not securities under this chapter, or are federal covered securities under this chapter. In the case of a New Hampshire corporation, professional corporation, limited partnership, registered limited liability partnership, limited liability company, or professional limited liability company, the articles of incorporation, certificate of limited partnership, or certificate of formation shall state that the capital stock, memberships, or interests in the limited partnership, limited liability partnership, or limited liability company will be sold or offered for sale in compliance with this chapter. The statement included pursuant to this paragraph shall not by itself constitute a registration, or a notice of exemption from registration, of securities within the meaning of sections 448 and 461(i)(3) of the United States Internal Revenue Code and the regulations promulgated thereunder.

Amend RSA 421-B:4-405(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Notice filing procedure. A person acting as a federal covered investment adviser, not excluded under subsection (b), shall file a notice, a consent to service of process complying with RSA 421-B:6-611, and such records as have been filed with the SEC under the Investment Advisers Act of 1940 required by order issued under this Act and pay the fees specified in RSA 421-B:4-410(c). Initial fees shall be paid before business is transacted in this state, and annual fees shall be paid on or before December 31 of the current year for the ensuing year. Federal covered advisers shall submit copies to the secretary of state of all documents filed with the SEC pursuant to the federal securities laws within 10 business days of their submission to the SEC. Documents and fees that are accepted by IARD may be submitted through IARD. Other documents filed or deemed filed with the SEC shall be submitted directly to the secretary of state.

Amend RSA 421-B:4-411(c)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) A broker-dealer registered or required to be registered under this chapter and an investment adviser registered or required to be registered under this chapter shall make and maintain the accounts, correspondence, memoranda, papers, books, and other records required by order issued under this chapter except as provided by Section 15 of the Securities Exchange Act of 1934 in the case of broker-dealers and Section 222 of the Investment Advisers Act of 1940 in the case of investment advisers;

Amend RSA 421-B:6-601(h) as inserted by section 1 of the bill by replacing it with the following:

(h) Investor education fund. All moneys collected as an administrative penalty under this chapter and all moneys collected pursuant to RSA 421-B:6-614(a)(4), and (5), shall be credited to an investor education fund to be maintained by the state treasurer. Funds in excess of $725,000 at the end of each fiscal year shall be credited to the general fund. The secretary of state, after deducting administrative costs, shall use moneys credited to that fund to provide information to residents of this state about investments in securities, to help investors and potential investors evaluate their investment decisions, protect themselves from unfair, inequitable, or fraudulent offerings, choose their broker-dealers, agents, or investment advisers more carefully, be alert for false or misleading advertising or other harmful practices, and know their rights as investors. The state treasurer shall pay the expenses of investor education out of the investor education fund consisting of the funds. The investor education fund shall be nonlapsing and continually appropriated for the purpose of paying the expenses of investor education, except that the fund shall at no time exceed $725,000.

(i) The secretary of state shall collect all fees and charges required under this chapter and shall pay them to the state treasurer to be deposited in the general fund as unrestricted revenue, except as provided in RSA 421-B:6-601(h).

Amend the bill by inserting after section 22 the following and renumbering the original sections 23-24 to read as 27-28, respectively:

23 Filing; Service and Copying Fees. Amend RSA 293-A:1.22(a) to read as follows:

(a) The secretary of state shall collect the following fees for:

(1) Articles of incorporation [~~$50~~] ***$100***

(2) Amendment of articles of incorporation $35

(3) Restatement of articles of incorporation with amendment of articles $35

(4) Articles or certificate of merger or articles of share exchange $35

(5) Articles of domestication $35

(6) Articles of charter surrender $35

(7) Articles of domestication and conversion $35

(8) Articles of entity conversion $35

(9) Statement of Abandonment of a Domestication $35

(9A) Statement of Abandonment of a Merger or Share Exchange $35

(10) Articles of dissolution $35

(11) Articles of revocation of dissolution $35

(12) Application for reinstatement following administrative dissolution $135

(13) Application for certificate of authority [~~$50~~] ***$100***

(14) Application for amended certificate of authority $35

(15) Application for certificate of withdrawal $35

(16) Articles of correction $35

(17) Late filing $50

(18) Late reinstatement fee $500

(19) Restatement of articles of incorporation without amendment $35

24 Filing; Service and Copying Fees. Amend RSA 304-B:64, I to read as follows:

I. For a certificate of limited partnership or registration as a foreign limited partnership, [~~$50~~] ***$100***.

25 Filing; Service and Copying Fees. Amend RSA 304-C:191, II to read as follows:

II. The following fees shall be paid to and collected by the secretary of state for deposit in the general fund of the state of New Hampshire:

(a) Upon the receipt for filing of an application for reservation of name or a notice of transfer of reservation under RSA 304-C:27, a fee in the amount of $15.

(b) Upon the receipt for filing of a statement under RSA 304-C:36, II, a fee in the amount of $15; upon the receipt for filing of a statement under RSA 304-C:36, V, a fee in the amount of $15.

(c) Upon the receipt for filing of a certificate of formation under RSA 304-C:31, a fee in the amount of [~~$50~~] ***$100***.

(d) Upon the receipt for filing of a certificate of amendment under RSA 304-C:34, a certificate of merger under RSA 304-C:158, a certificate of statutory conversion under RSA 304-C:149, or a restated certificate of formation under RSA 304-C:35, a fee in the amount of $35.

(e) Upon the receipt for filing of a certificate of cancellation of a domestic limited liability company under RSA 304-C:142, a fee in the amount of $35.

(f) Upon receipt for filing of an annual report under RSA 304-C:194, a fee in the amount of $100; for failure or refusal to file an annual report or pay the filing fee on or before April 1 of any year, an additional late filing fee in the amount of $50; upon receipt for filing of an application for reinstatement under RSA 304-C:138, I, a fee of $135; and upon receipt for filing of an application for late reinstatement under RSA 304-C:145, I a fee of $500.

(g) For certifying copies of any paper on file as provided for by this act, a fee in the amount of $1 per page and $5 for the certificate.

(h) Upon the receipt for filing of an application for registration as a foreign limited liability company under RSA 304-C:175, a fee in the amount of [~~$50~~] ***$100***; upon the receipt for filing of a certificate of cancellation under RSA 304-C:179, a fee in the amount of $35; and upon receipt for filing of an amendment to an application under RSA 304-C:178, a fee in the amount of $35.

(i) Upon the receipt for filing of a statement under RSA 304-C:177, V, a fee in the amount of $15, and upon the receipt for filing of a statement under RSA 304-C:177, VI, a fee in the amount of $15.

(j) For issuing any certificate of the secretary of state, including a certificate of good standing, other than a certification of a copy under subparagraph II(g), a fee in the amount of $5, except that for issuing any certificate of the secretary of state that recites all of a limited liability company's filings with the secretary of state, a fee of $10 shall be paid for each such certificate.

(k) For receiving, filing or indexing any certificate, affidavit, or agreement or any other paper provided for by this act, for which no different fee is specifically prescribed, a fee in the amount of $15.

26 Filing; Service and Copying Fees. Amend RSA 304-A:51, II(a) to read as follows:

(a) Registration of limited liability partnership under RSA 304-A:44, I [~~$50~~] ***$100***

(b) Annual fee under RSA 304-A:47 $100

(c) Late filing fee under RSA 304-A:47, III $50

(d) Withdrawal of registered limited liability partnership under RSA 304-A:44, IV(a)(1) $35

(e) Name reservation, notice of transfer of reservation, or notice of cancellation under RSA 304-A:46, II $15

(f) Notice of change under RSA 304-A:48 $35

(g) Notice of change of name or address of registered agent or registered office under RSA 304-A:49, II $15

(h) Notice of registration of foreign limited liability partnership under RSA 304-A:50, IV [~~$50~~] ***$100***

(i) Withdrawal notice of foreign limited liability partnership under RSA 304-A:50, VIII(a)(1) $35

Conferees: Sens. Bradley, Dist. 3; Little, Dist. 8; and Pierce, Dist. 5.

Conferees: Reps. Hunt, Ches. 11, Jones, Straf. 24; Biggie, Hills. 23; and Williams, Hills. 4.

Rep. Hunt moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

The House recessed at 11:00 a.m.

RECESS

The House reconvened at 11:10 a.m.

(Speaker Jasper in the Chair)

MOTION TO REMOVE JACKETS

Rep. Hoelzel moved that members be allowed to remove their jackets.

Motion adopted.

The House recessed at 11:15 a.m.

RECESS

The House reconvened at 1:00 p.m.

(Speaker Jasper in the Chair)

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.

COMMITTEE OF CONFERENCE REPORT ON HB 1-A

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. (Report printed SJ 6-24-15)

Rep. Kurk moved the adoption of the Committee of Conference Report, spoke in favor and yielded to questions.

Reps. Rogers, Rosenwald and Wallner spoke against.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 196 - NAYS 161

YEAS - 196

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick

HILLSBOROUGH

Adams, Christopher	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Gagne, Larry
Gargasz, Carolyn	Gould, Linda	Goulette, William	Griffin, Barbara
Haefner, Robert	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Marston, Dick	Martel, Andre	McCarthy, Peggy
McLean, Mark	Moore, Josh	Murphy, Keith	O'Brien, William
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Straight, Phillip
Sullivan, Victoria	Sweeney, Shawn	Takesian, Charlene	Twombly, Timothy
Ulery, Jordan	Wolf, Terry	Zaricki, Nick	

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Horn, Werner	Kidder, David	Kotowski, Frank	Kuch, Bill
Long, Douglas	Marple, Richard	Martin, John	McGuire, Carol
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Belanger, Ronald	Bush, Carol
Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian	Christie, Andrew
Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Sweeney, Joe	Sytek, John
Tasker, Kyle	Thomas, Douglas	True, Chris	Tucker, Pamela
Vose, Michael	Welch, David	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Beaudoin, Steven	Cheney, Catherine	Gray, James	Groen, Warren
Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas	Knowles, Robert
Leeman, Don	Mullen, John	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 161

BELKNAP

Sylvia, Michael

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Higgins, Patricia	Maes, Kevin
Massimilla, Linda	Nordgren, Sharon	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Ammon, Keith	Backus, Robert	Baroody, Benjamin	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Forest, Armand	Freitas, Mary	Fromuth, Bart
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne	Heath, Mary
Herbert, Christopher	Jack, Martin	Jeudy, Jean	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McClarren, Donald	McNamara, Richard
O'Brien, Michael	O'Neil, William	Porter, Marjorie	Proulx, Mark

Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Vann, Ivy
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Hoell, J.R.	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Abramson, Max	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	DiFranco, Debbie	Francese, Paula
Gordon, Pamela	Heffron, Frank	Kellogg, Shem	Lovejoy, Patricia
McBeath, Rebecca	Moody, Marcia	Osborne, Jason	Pantelakos, Laura
Sherman, Thomas	Simpson, Alexis	Ward, Gerald	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Turcotte, Leonard	Wall, Janet	Ward, Kenneth	Whitehouse, Joshua

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the Committee of Conference Report was adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

COMMITTEE OF CONFERENCE REPORT ON HB 2-FN-A-L

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. (Report printed SJ 6-24-15)

Rep. Kurk moved the adoption of the Committee of Conference Report.

Reps. Hatch and Eaton spoke against.

Rep. Lynne Ober spoke in favor.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 196 - NAYS 164

YEAS - 196

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim
Sterling, Franklin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Bailey, Brad
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Gagne, Larry
Gargasz, Carolyn
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McLean, Mark
Moore, Josh
Murphy, Keith
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sweeney, Joe
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 164

BELKNAP

Sylvia, Michael

CARROLL

Buco, Thomas | Butler, Edward | Ticehurst, Susan

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Bordenet, John
Eaton, Daniel | Johnsen, Gladys | Ley, Douglas | Mann, John
Parkhurst, Henry | Phillips, Larry | Roberts, Kris | Robertson, Timothy
Sad, Tara | Shepardson, Marjorie | Tatro, Bruce | Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea | Hatch, William | Moynihan, Wayne | Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard | Almy, Susan | Bennett, Travis | Brown, Rebecca
Cooney, Mary | Ford, Susan | Higgins, Patricia | Maes, Kevin
Massimilla, Linda | Nordgren, Sharon | Piper, Wendy | Shackett, Jeffrey
Smith, Suzanne | Sykes, George | Townsend, Charles | White, Andrew

HILLSBOROUGH

Ammon, Keith | Backus, Robert | Baroody, Benjamin | Beaulieu, Jane
Booras, Efstathia | Brown, Pamela | Cohen, Alan | Cornell, Patricia
Cote, David | DiSilvestro, Linda | Forest, Armand | Freitas, Mary
Fromuth, Bart | Gidge, Kenneth | Goley, Jeffrey | Gonzalez, Carlos
Gorman, Mary | Guerette, C. Lee | Hansberry, Daniel | Harvey, Suzanne
Heath, Mary | Herbert, Christopher | Jack, Martin | Jeudy, Jean
Long, Patrick | Mangipudi, Latha | Manley, Jonathan | McClarren, Donald
McNamara, Richard | O'Brien, Michael | O'Neil, William | Porter, Marjorie
Proulx, Mark | Roberts, Carol | Rosenwald, Cindy | Shattuck, Gilman
Shaw, Barbara | Smith, Timothy | Snow, Kendall | Soucy, Timothy
Sullivan, Daniel | Vann, Ivy | Walsh, Robert | Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta | Bartlett, Christy | Bradley, Paula | Carson, Clyde
Deloge, Helen | Doherty, David | Ebel, Karen | Frazer, June
French, Barbara | Gile, Mary | Henle, Paul | Hess, David
Hirsch, Geoffrey | Hoell, J.R. | Karrick, David | Kenison, Linda
Luneau, David | MacKay, James | Moffett, Howard | Myler, Mel
Patten, Dick | Ratzki, Mario | Rice, Harold (Chip) | Rogers, Katherine
Saunderson, George | Schuett, Dianne | Shurtleff, Stephen | Turcotte, Alan
Wallner, Mary Jane | Wheeler, Deborah

ROCKINGHAM

Abramson, Max | Berrien, Skip | Borden, David | Cahill, Michael
Cali-Pitts, Jacqueline | Cushing, Robert | DiFranco, Debbie | Francese, Paula
Gordon, Pamela | Heffron, Frank | Kellogg, Shem | Lovejoy, Patricia
McBeath, Rebecca | Moody, Marcia | Osborne, Jason | Pantelakos, Laura
Sherman, Thomas | Simpson, Alexis | Ward, Gerald

STRAFFORD

Baber, William | Berube, Roger | Bixby, Peter | Burton, Wayne
Cilley, Jacalyn | DiSesa, Len | Horrigan, Timothy | Kaen, Naida
Rollo, Deanna | Schmidt, Peter | Smith, Marjorie | Southworth, Thomas
Spang, Judith | Sprague, Dale | Stevens, Audrey | Treleaven, Susan
Turcotte, Leonard | Wall, Janet | Ward, Kenneth | Whitehouse, Joshua

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the Committee of Conference Report was adopted.

RESOLUTION

Reps. Flanagan and Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Joint Resolution numbered 2 shall be by this resolution read a first and second time by the therein listed title.
Motion adopted.

INTRODUCTION OF HOUSE JOINT RESOLUTION

First and second reading

HJR 2, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire. (Kurk, Hills 2; Flanagan, Hills 26; Forrester, Dist 2; Bradley, Dist 3)

CONSIDERATION OF HOUSE JOINT RESOLUTION 2

This house joint resolution makes temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

A RESOLUTION making temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

Whereas, a budget has not yet been enacted for fiscal years 2016 and 2017; and

Whereas, action at this time is necessary to carry out the functions of state government after fiscal year 2015, and prior to enacting said budget act; now therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

I.(a) That each state agency or state entity for which the general court appropriated funds for its operating budget for fiscal year 2015 is authorized to obligate additional funds for expenditures during the period this resolution is in effect at a rate not in excess of 6/12 of, and for the same purposes of, the appropriations for fiscal year 2015 contained in HB 1-A of the 2013 regular legislative session (2013, 143), unless due to an emergency it shall be otherwise authorized by the governor with the advice and consent of the council with prior approval of the fiscal committee of the general court. For the purposes of this resolution, the provisions of HB 2-FN-A-LOCAL of the 2013 regular legislative session (2013, 144) which relate to the 2014-2015 biennium shall apply; and

(b) Enactment of this resolution shall constitute acceptance by the state of federal funds in such amounts as under applicable state or federal law shall be necessary to give effect to the provisions of this resolution and shall further constitute the appropriation of such state funds as under federal law shall be required to be added to such federal funds as a condition of their transfer to the state. The authorization provided in this resolution shall be deemed to be a budget within the meaning of RSA 9; and

(c) Funds subject to obligation under this resolution shall be deemed subject to transfer under the provisions of RSA 9:16-9:17-d, with prior approval of the fiscal committee of the general court. The governor is authorized by and with the advice and consent of the council to draw warrants for the sums necessary to discharge obligations authorized by this resolution out of any money in the treasury not otherwise appropriated or, in the case of special funds, out of any such special funds. Expenditures obligated under authority of this resolution shall be charges upon any appropriations subsequently enacted with respect to identical purposes and periods; and

II. That the provisions of RSA 9 inconsistent with the provisions of this resolution and the provisions of any other statutes so inconsistent are hereby suspended to the extent of such inconsistencies during the time this resolution is in effect. The state of New Hampshire hereby indemnifies any state official, commissioner, trustee, or other person having control of public funds appropriated by the general court for any liability personally incurred because of the provisions of RSA 9:19 and RSA 9:20 for whatever period of time elapses from 12:01 a.m. July 1, 2015, until the time that the provisions of this resolution making temporary appropriations become law; and

III. That this resolution shall take effect July 1, 2015 and shall continue in effect until an operating budget is enacted into law but in no event later than January 1, 2016.

Rep. Kurk moved Ought to Pass.

Rep. Wallner offered floor amendment (2336h).

Floor Amendment (2336h)

Amend subparagraph I(a) of the resolution by replacing it with the following:

(a) That each state agency or state entity for which the general court appropriated funds for its operating budget for fiscal year 2016 is authorized to obligate additional funds for expenditures during the period this resolution is in effect at a rate not in excess of 96 percent of 6/12 of, and for the same purposes of, the appropriations contained in HB 1-A of the 2015 regular legislative session as amended and adopted by the legislature, unless due to an emergency it shall be otherwise authorized by the governor with advice and consent of the council with prior approval of the fiscal committee of the general court. For the purposes of this resolution, the provisions of HB 2-FN-A-LOCAL of the 2015 regular legislative session as amended and adopted by the legislature, being necessary to give effect to the provisions of this resolution, shall be deemed in effect during the period that this resolution is in effect; and

Rep. Wallner spoke in favor and yielded to questions.

Rep. Kurk spoke against and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 150 - NAYS 208

YEAS - 150

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Eaton, Daniel
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Bennett, Travis	Brown, Rebecca	Cooney, Mary
Ford, Susan	Higgins, Patricia	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Christiansen, Lars	Cohen, Alan	Cornell, Patricia
Cote, David	DiSilvestro, Linda	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Jack, Martin	Kurk, Neal	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Rowe, Robert
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Snow, Kendall
Soucy, Timothy	Sullivan, Daniel	Vann, Ivy	Walsh, Robert
Williams, Kermit	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Luneau, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
DeSimone, Debra
DiFranco, Debbie
Francese, Paula
Gordon, Pamela
Heffron, Frank
Lovejoy, Patricia
McBeath, Rebecca
Moody, Marcia
Pantelakos, Laura
Sherman, Thomas
Simpson, Alexis
Ward, Gerald

STRAFFORD

Baber, William
Berube, Roger
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Schmidt, Andrew

NAYS - 208

BELKNAP

Aldrich, Glen
Dumais, Russell
Fields, Dennis
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Russell, David
Spanos, Peter
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Bordenet, John
Hunt, John
McConnell, Jim
Sterling, Franklin
Tilton, Benjamin

COOS

Fothergill, John
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Tholl, John

GRAFTON

Almy, Susan
Bailey, Brad
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christie, Rick
Coffey, James
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gonzalez, Carlos
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jeudy, Jean
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	Devine, James
Duarte, Joe	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Katsakiores, Phyllis	Kellogg, Shem	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Sweeney, Joe
Sytek, John	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Welch, David	Weyler, Kenneth
Woitkun, Steven			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	Gray, James
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

and floor amendment (2336h) failed.
Reps. Kurk and DeSimone voted Yea and intended to vote Nay.
Rep. Almy voted Nay and intended to vote Yea.

The question now being adoption of the motion of Ought to Pass.
Reps. Carol McGuire and Kurk spoke in favor.
Motion adopted and ordered to third reading.

THIRD READING AND FINAL PASSAGE

Rep. Flanagan offered the following: RESOLVED, that ***HJR 2,*** making temporary appropriations for the expenses and encumbrances of the State of New Hampshire, be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.
Motion adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 25-FN-A, making appropriations for capital improvements.

COMMITTEE OF CONFERENCE REPORT ON HB 25-FN-A

HB 25-FN-A, making appropriations for capital improvements. (Report printed SJ 6-24-15)
Rep. Chandler moved the adoption of the Committee of Conference Report.
Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 115, relative to reports on gross appropriations from the highway fund in the tentative state budget and defining autocycle and making provisions for the operation and inspection of autocycles.

COMMITTEE OF CONFERENCE REPORT ON HB 115

HB 115, relative to reports on gross appropriations from the highway fund in the tentative state budget and defining autocycle and making provisions for the operation and inspection of autocycles. (Report printed SJ 6-24-15)

Rep. Chandler moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 142, relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students.

COMMITTEE OF CONFERENCE REPORT ON HB 142

HB 142, relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students. (Report printed SJ 6-24-15)

Rep. Balcom moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards.

COMMITTEE OF CONFERENCE REPORT ON HB 219-FN

HB 219-FN, relative to the use of electronic benefit transfer (EBT) cards. (Report printed SJ 6-24-15)

Rep. McMahon moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system.

COMMITTEE OF CONFERENCE REPORT ON HB 305

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system. (Report printed SJ 6-24-15)

Rep. Itse moved the adoption of the Committee of Conference Report.

Rep. Carol McGuire spoke in favor.

Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 323, relative to the administration of the statewide assessment program.

COMMITTEE OF CONFERENCE REPORT ON HB 323

HB 323, relative to the administration of the statewide assessment program. (Report printed SJ 6-24-15)

Rep. Ladd moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 364, relative to renewal fees administered by the office of professional licensing, the salt applicator certification program, and pesticide product registration requirements.

COMMITTEE OF CONFERENCE REPORT ON HB 364

HB 364, relative to renewal fees administered by the office of professional licensing, the salt applicator certification program, and pesticide product registration requirements. (Report printed SJ 6-24-15)
Rep. Andrew Christie moved the adoption of the Committee of Conference Report.
Rep. Burt requested a roll call; sufficiently seconded.

YEAS 223 - NAYS 131

YEAS - 223

BELKNAP

Fields, Dennis	Fraser, Valerie	Russell, David	Tilton, Franklin

CARROLL

Butler, Edward	Chandler, Gene	Crawford, Karel	McConkey, Mark
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Edelblut, Frank	Flanagan, Jack	Forest, Armand
Freitas, Mary	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Hansberry, Daniel	Harvey, Suzanne	Heath, Mary	Herbert, Christopher
Hinch, Richard	Infantine, William	Jack, Martin	Kurk, Neal
LeBrun, Donald	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
Martel, Andre	McClarren, Donald	McNamara, Richard	O'Brien, Michael
O'Neil, William	Ober, Lynne	Ober, Russell	Palmer, Barry
Pierce, David	Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy
Rowe, Robert	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Snow, Kendall	Soucy, Timothy	Sullivan, Daniel	Sullivan, Victoria
Takesian, Charlene	Vann, Ivy	Walsh, Robert	Williams, Kermit
Wolf, Terry	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey

Karrick, David
Luneau, David
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Kenison, Linda
MacKay, James
Ratzki, Mario
Schuett, Dianne
Wheeler, Deborah
Kidder, David
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Kotowski, Frank
Myler, Mel
Rogers, Katherine
Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
DeSimone, Debra
Elliott, Robert
Gordon, Pamela
Hoelzel, Kathleen
Major, Norman
Milz, David
Packard, Sherman
Sherman, Thomas
Welch, David
Allen, Mary
Borden, David
Chase, Francis
Devine, James
Ferrante, Beverly
Griffin, Mary
Introne, Robert
Matthews, Carolyn
Moody, Marcia
Pantelakos, Laura
Simpson, Alexis
Weyler, Kenneth
Azarian, Gary
Cahill, Michael
Christie, Andrew
DiFranco, Debbie
Fesh, Robert
Hagan, Joseph
Katsakiores, Phyllis
McBeath, Rebecca
Nigrello, Robert
Peckham, Michele
Sytek, John
Belanger, Ronald
Cali-Pitts, Jacqueline
Cushing, Robert
Doucette, Fred
Francese, Paula
Heffron, Frank
Lovejoy, Patricia
McKinney, Betsy
O'Connor, John
Potucek, John
Ward, Gerald

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Wall, Janet
Bixby, Peter
Gray, James
Schmidt, Peter
Sprague, Dale
Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Stevens, Audrey
Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Treleaven, Susan

SULLIVAN

Cloutier, John
Irwin, Virginia
Smith, Steven
Converse, Larry
O'Hearne, Andrew
Gottling, Suzanne
Oxenham, Lee
Grenier, James
Schmidt, Andrew

NAYS - 131

BELKNAP

Aldrich, Glen
Hurt, George
Sylvia, Michael
Dumais, Russell
LeBreche, Shari
Vadney, Herbert
Fisher, Robert
Luther, Robert
Varney, Peter
Gallagher, Brian
Spanos, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Buco, Thomas
Nelson, Bill
Comeau, Ed
Parker, Harold
Cordelli, Glenn
Wright, Ted

CHESHIRE

McConnell, Jim
Tilton, Benjamin

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Bailey, Brad
Johnson, Eric
Darrow, Stephen
Hull, Robert
Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher
Burt, John
Estevez, Eric
Gonzalez, Carlos
Ammon, Keith
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Balcom, John
Coffey, James
Fromuth, Bart
Goulette, William
Boehm, Ralph
Eastman, Eric
Gagne, Larry
Hansen, Peter

Hogan, Edith	Hopper, Gary	Lachance, Joseph	Marston, Dick
McCarthy, Peggy	McLean, Mark	Moore, Josh	Murphy, Keith
O'Brien, William	Ohm, Bill	Pellegrino, Anthony	Peterson, Ken
Proulx, Mark	Rice, Kimberly	Rouillard, Claire	Sanborn, Laurie
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Straight, Phillip	Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Barbara	French, Harold	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Chirichiello, Brian	Cook, Allen	Dean-Bailey, Yvonne
Duarte, Joe	Emerick, J. Tracy	Gannon, William	Gordon, Richard
Green, Dennis	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Manning, John
McMahon, Charles	Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Sweeney, Joe	Tasker, Kyle	Thomas, Douglas
True, Chris	Tucker, Pamela	Vose, Michael	Woitkun, Steven

STRAFFORD

Beaudoin, Steven	Berube, Roger	Bickford, David	Cheney, Catherine
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Gagnon, Raymond	Laware, Thomas	Rollins, Skip

and the Committee of Conference Report was adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation.

COMMITTEE OF CONFERENCE REPORT ON HB 407

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation. (Report printed SJ 6-24-15)

Rep. James Belanger moved the adoption of the Committee of Conference Report.

On a division vote, 302 members having voted in the affirmative and 53 in the negative, the Committee of Conference Report was adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.

COMMITTEE OF CONFERENCE REPORT ON HB 460

HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges. (Report printed SJ 6-24-15)

Rep. Chandler moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes and proclaiming September 25 as Ataxia Awareness Day.

COMMITTEE OF CONFERENCE REPORT ON HB 421

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes and proclaiming September 25 as Ataxia Awareness Day. (Report printed SJ 6-24-15)

Rep. Haefner moved the adoption of the Committee of Conference Report.

On a division vote, 306 members having voted in the affirmative and 45 in the negative, the Committee of Conference Report was adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 468-FN, requiring a warrant to obtain electronic device location information and relative to appropriations for nursing homes.

COMMITTEE OF CONFERENCE REPORT ON HB 468-FN

HB 468-FN, requiring a warrant to obtain electronic device location information and relative to appropriations for nursing homes. (Report printed SJ 6-24-15)

Rep. Sytek moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 483, relative to the commission on primary care workforce issues.

COMMITTEE OF CONFERENCE REPORT ON HB 483

HB 483, relative to the commission on primary care workforce issues. (Report printed SJ 6-24-15)

Rep. Kotowski moved the adoption of the Committee of Conference Report.

Committee of Conference Report adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association and relative to cost-sharing parity for oral anti-cancer therapies.

COMMITTEE OF CONFERENCE REPORT ON HB 508

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association and relative to cost-sharing parity for oral anti-cancer therapies. (Report printed SJ 6-24-15)

Rep. Hunt moved the adoption of the Committee of Conference Report and spoke in favor.

Rep. Fraser spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

Rep. Baldasaro withdrew his request for a roll call.

On a division vote, 243 members having voted in the affirmative and 99 in the negative, the Committee of Conference Report was adopted.

Rep. William O'Brien declared a conflict of interest and did not participate.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 550-FN, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax.

COMMITTEE OF CONFERENCE REPORT ON HB 550-FN

HB 550-FN, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax. (Report printed SJ 6-24-15)

Rep. Major moved the adoption of the Committee of Conference Report.

Rep. Lovejoy spoke against and yielded to questions.

Rep. Abrami spoke in favor.

Rep. Jones requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 145

YEAS - 202

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Russell, David	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin	Tilton, Benjamin

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John
Thomas, Yvonne			

GRAFTON

Bailey, Brad	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick
Piper, Wendy			

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Balcom, John	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Coffey, James
Danielson, David	Donovan, Daniel	Eastman, Eric	Edelblut, Frank
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Hansen, Peter
Hinch, Richard	Hogan, Edith	Hopper, Gary	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murphy, Keith	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Rice, Kimberly	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl	Shaw, Barbara
Simmons, Tammy	Smith, Gregory	Straight, Phillip	Sullivan, Victoria
Takesian, Charlene	Twombly, Timothy	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kidder, David	Kotowski, Frank	Kuch, Bill	Long, Douglas
Marple, Richard	Martin, John	McGuire, Carol	Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Turcotte, Leonard
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 145

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Eaton, Daniel
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Fothergill, John
Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Rebecca
Cooney, Mary
Ford, Susan
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Brown, Pamela
Cohen, Alan
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Jack, Martin
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Williams, Kermit
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hirsch, Geoffrey	Karrick, David	Kenison, Linda	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Wheeler, Deborah			

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Gordon, Pamela
Heffron, Frank	Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia
Pantelakos, Laura	Sherman, Thomas	Simpson, Alexis	Ward, Gerald

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the Committee of Conference Report was adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and relative to the siting of high pressure gas pipelines.

COMMITTEE OF CONFERENCE REPORT ON HB 572-FN-L

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and relative to the siting of high pressure gas pipelines. (Report printed SJ 6-24-15)

Rep. James Belanger moved the adoption of the Committee of Conference Report.

Rep. Coffey requested a roll call; not sufficiently seconded.

Committee of Conference Report adopted.

SENATE MESSAGE
ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 577-FN-A-L, establishing a children's savings account program, and relative to the bonding authority of the city of Dover.

COMMITTEE OF CONFERENCE REPORT ON HB 577-FN-A-L

HB 577-FN-A-L, establishing a children's savings account program, and relative to the bonding authority of the city of Dover. (Report printed SJ 6-24-15)

Rep. Ladd moved the adoption of the Committee of Conference Report.

Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 201 - NAYS 145

YEAS - 201
BELKNAP

Fields, Dennis	Russell, David

CARROLL

Butler, Edward	Chandler, Gene	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Higgins, Patricia	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Balcom, John	Beaulieu, Jane	Brown, Pamela
Christensen, Chris	Cohen, Alan	Cornell, Patricia	Cote, David
Donovan, Daniel	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel
Harvey, Suzanne	Heath, Mary	Herbert, Christopher	Hinch, Richard
Jack, Martin	Kurk, Neal	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	Martel, Andre	McNamara, Richard	O'Brien, Michael
Pierce, David	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Rowe, Robert	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Walsh, Robert	Williams, Kermit	Wolf, Terry	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
Gile, Mary	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Luneau, David	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine
Saunderson, George	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Belanger, Ronald	Berrien, Skip
Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline	Chase, Francis
Christie, Andrew	Cook, Allen	Cushing, Robert	DeSimone, Debra
Devine, James	DiFranco, Debbie	Doucette, Fred	Elliott, Robert
Gordon, Pamela	Griffin, Mary	Hagan, Joseph	Heffron, Frank
Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis	Lovejoy, Patricia
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	Milz, David	Moody, Marcia	Nigrello, Robert
O'Connor, John	Pantelakos, Laura	Peckham, Michele	Potucek, John
Sherman, Thomas	Simpson, Alexis	Sweeney, Joe	Sytek, John
Ward, Gerald	Welch, David	Weyler, Kenneth	

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cilley, Jacalyn
DiSesa, Len
Gray, James
Horrigan, Timothy
Kaen, Naida
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Wall, Janet

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
O'Hearne, Andrew
Oxenham, Lee
Smith, Steven

NAYS - 145

BELKNAP

Aldrich, Glen
Dumais, Russell
Fisher, Robert
Fraser, Valerie
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Luther, Robert
Spanos, Peter
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Buco, Thomas
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
Nelson, Bill

CHESHIRE

Hunt, John
McConnell, Jim
Roberts, Kris
Tilton, Benjamin

COOS

Rideout, Leon

GRAFTON

Bailey, Brad
Darrow, Stephen
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christiansen, Lars
Christie, Rick
Coffey, James
Danielson, David
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gagne, Larry
Gould, Linda
Goulette, William
Griffin, Barbara
Hansen, Peter
Hogan, Edith
Hopper, Gary
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Rice, Kimberly
Rouillard, Claire
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Simmons, Tammy
Smith, Gregory
Straight, Phillip
Sullivan, Victoria
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Barbara
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Bush, Carol
Cardon, G. Thomas
Chirichiello, Brian
Dean-Bailey, Yvonne
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly

Fesh, Robert	Francese, Paula	Gannon, William	Gordon, Richard
Green, Dennis	Guthrie, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	McMahon, Charles
Osborne, Jason	Packard, Sherman	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Tasker, Kyle	Thomas, Douglas	True, Chris
Tucker, Pamela	Vose, Michael	Woitkun, Steven	

STRAFFORD

Beaudoin, Steven	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Laware, Thomas	Rollins, Skip	Schmidt, Andrew

and the Committee of Conference Report was adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 599, relative to the economic revitalization zone tax credit program.

COMMITTEE OF CONFERENCE REPORT ON HB 599

HB 599, relative to the economic revitalization zone tax credit program. (Report printed SJ 6-24-15)
Rep. Abrami moved the adoption of the Committee of Conference Report.
Committee of Conference Report adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 614-FN, implementing goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for energy facility evaluation, and relative to public information sessions on proposed energy siting.

COMMITTEE OF CONFERENCE REPORT ON HB 614-FN

HB 614-FN, implementing goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for energy facility evaluation, and relative to public information sessions on proposed energy siting. (Report printed SJ 6-24-15)
Rep. Richardson moved the adoption of the Committee of Conference Report.
Committee of Conference Report adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property.

COMMITTEE OF CONFERENCE REPORT ON HB 662-FN-L

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property. (Report printed SJ 6-24-15)
Rep. James Belanger moved the adoption of the Committee of Conference Report and spoke in favor.
Rep. Horrigan spoke against.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 275 - NAYS 71

YEAS - 275

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Luther, Robert	Russell, David	Spanos, Peter
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino
Butler, Edward
Chandler, Gene
Comeau, Ed
Cordelli, Glenn
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Umberger, Karen
Wright, Ted

CHESHIRE

Ames, Richard
Bordenet, John
Hunt, John
Mann, John
McConnell, Jim
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Fothergill, John
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Bailey, Brad
Bennett, Travis
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hull, Robert
Ingbretson, Paul
Johnson, Eric
Ladd, Rick
Massimilla, Linda
Smith, Suzanne
Sykes, George
White, Andrew

HILLSBOROUGH

Adams, Christopher
Ammon, Keith
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Coffey, James
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Estevez, Eric
Ferreira, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Hansberry, Daniel
Hansen, Peter
Harvey, Suzanne
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Jack, Martin
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murphy, Keith
O'Brien, Michael
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Straight, Phillip
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Brewster, Michael
Carson, Clyde
Ebel, Karen
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
Moffett, Howard
Myler, Mel
Patten, Dick
Rice, Harold (Chip)
Seaworth, Brian
Shurtleff, Stephen
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Bush, Carol
Cardon, G. Thomas
Chase, Francis

Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Fesh, Robert
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Sweeney, Joe
Sytek, John
Tasker, Kyle
Thomas, Douglas
True, Chris
Tucker, Pamela
Vose, Michael
Welch, David
Weyler, Kenneth
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Berube, Roger
Bickford, David
Burton, Wayne
Cheney, Catherine
DiSesa, Len
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Schmidt, Peter
Southworth, Thomas
Spang, Judith
Treleaven, Susan
Turcotte, Leonard
Wall, Janet
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Cloutier, John
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 71

CARROLL

Buco, Thomas
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Berch, Paul
Eaton, Daniel
Johnsen, Gladys
Ley, Douglas
Parkhurst, Henry

COOS

Froburg, Alethea
Hatch, William

GRAFTON

Abel, Richard
Almy, Susan
Brown, Rebecca
Higgins, Patricia
Maes, Kevin
Nordgren, Sharon
Piper, Wendy
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Gidge, Kenneth
Guerette, C. Lee
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
Roberts, Carol
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Takesian, Charlene
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
Hirsch, Geoffrey
Luneau, David
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Turcotte, Alan
Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
Ferrante, Beverly
Francese, Paula
Gordon, Pamela
Heffron, Frank
McBeath, Rebecca
Ward, Gerald

STRAFFORD

Baber, William	Bixby, Peter	Cilley, Jacalyn	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Smith, Marjorie	Sprague, Dale
Stevens, Audrey			

SULLIVAN

Bridge, Ernest	Converse, Larry	O'Hearne, Andrew	Oxenham, Lee
Schmidt, Andrew			

and the Committee of Conference Report was adopted.

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORT

HB 681-FN-A, establishing a fine for persons convicted of domestic violence and increasing the marriage license fee.

COMMITTEE OF CONFERENCE REPORT ON HB 681-FN-A

HB 681-FN-A, establishing a fine for persons convicted of domestic violence and increasing the marriage license fee. (Report printed SJ 6-24-15)

Rep. Lachance moved the adoption of the Committee of Conference Report.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 144

YEAS - 203

BELKNAP

Fields, Dennis	Gallagher, Brian	Luther, Robert	Russell, David
Tilton, Franklin			

CARROLL

Butler, Edward	Chandler, Gene	Parker, Harold	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Rebecca
Cooney, Mary	Ford, Susan	Gionet, Edmond	Higgins, Patricia
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Adams, Christopher	Backus, Robert	Balcom, John	Barry, Richard
Beaulieu, Jane	Brown, Pamela	Christensen, Chris	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	Donovan, Daniel
Flanagan, Jack	Freitas, Mary	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Hansberry, Daniel

Harvey, Suzanne
Jack, Martin
Manley, Jonathan
Pierce, David
Rosenwald, Cindy
Snow, Kendall
Williams, Kermit
Heath, Mary
Lachance, Joseph
McNamara, Richard
Porter, Marjorie
Shattuck, Gilman
Sullivan, Daniel
Wolf, Terry
Herbert, Christopher
Long, Patrick
O'Brien, Michael
Proulx, Mark
Shaw, Barbara
Twombly, Timothy
Woodbury, David
Hinch, Richard
Mangipudi, Latha
Palmer, Barry
Roberts, Carol
Smith, Timothy
Walsh, Robert

MERRIMACK

Alicea, Caroletta
Deloge, Helen
French, Barbara
Hirsch, Geoffrey
Kotowski, Frank
Moffett, Howard
Rice, Harold (Chip)
Shurtleff, Stephen
Bartlett, Christy
Doherty, David
Gile, Mary
Horn, Werner
Long, Douglas
Myler, Mel
Rogers, Katherine
Turcotte, Alan
Bradley, Paula
Ebel, Karen
Henle, Paul
Karrick, David
Luneau, David
Patten, Dick
Saunderson, George
Wallner, Mary Jane
Carson, Clyde
Frazer, June
Hess, David
Kenison, Linda
MacKay, James
Ratzki, Mario
Schuett, Dianne
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Devine, James
Gordon, Pamela
Katsakiores, Phyllis
McBeath, Rebecca
O'Connor, John
Potucek, John
Sytek, John
Allen, Mary
Borden, David
Christie, Andrew
DiFranco, Debbie
Hagan, Joseph
Lovejoy, Patricia
Milz, David
Packard, Sherman
Sherman, Thomas
Ward, Gerald
Azarian, Gary
Cahill, Michael
Cushing, Robert
Doucette, Fred
Heffron, Frank
Major, Norman
Moody, Marcia
Pantelakos, Laura
Simpson, Alexis
Welch, David
Belanger, Ronald
Cali-Pitts, Jacqueline
DeSimone, Debra
Francese, Paula
Hoelzel, Kathleen
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Sweeney, Joe

STRAFFORD

Baber, William
DiSesa, Len
Rollo, Deanna
Spang, Judith
Bixby, Peter
Gray, James
Schmidt, Peter
Stevens, Audrey
Burton, Wayne
Horrigan, Timothy
Smith, Marjorie
Treleaven, Susan
Cilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Grenier, James
Rollins, Skip
Converse, Larry
Irwin, Virginia
Schmidt, Andrew
Gagnon, Raymond
O'Hearne, Andrew
Smith, Steven
Gottling, Suzanne
Oxenham, Lee

NAYS - 144

BELKNAP

Aldrich, Glen
Howard, Jr., Raymond
Sylvia, Michael
Dumais, Russell
Hurt, George
Vadney, Herbert
Fisher, Robert
LeBreche, Shari
Varney, Peter
Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Buco, Thomas
McConkey, Mark
Comeau, Ed
Nelson, Bill
Cordelli, Glenn
Wright, Ted

CHESHIRE

Hunt, John
McConnell, Jim

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Bailey, Brad	Darrow, Stephen	Hennessey, Erin	Hull, Robert
Ingbretson, Paul	Johnson, Eric		

HILLSBOROUGH

Ammon, Keith	Belanger, James	Biggie, Barbara	Boehm, Ralph
Burt, John	Byron, Frank	Christiansen, Lars	Christie, Rick
Coffey, James	Eastman, Eric	Edelblut, Frank	Estevez, Eric
Ferreira, Elizabeth	Forest, Armand	Fromuth, Bart	Gagne, Larry
Goulette, William	Hansen, Peter	Hogan, Edith	Hopper, Gary
Kurk, Neal	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murphy, Keith	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Pellegrino, Anthony	Peterson, Ken	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa
Seidel, Carl	Simmons, Tammy	Smith, Gregory	Soucy, Timothy
Straight, Phillip	Sullivan, Victoria	Takesian, Charlene	Ulery, Jordan
Zaricki, Nick			

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Kidder, David	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bates, David
Bush, Carol	Cardon, G. Thomas	Chirichiello, Brian	Cook, Allen
Dean-Bailey, Yvonne	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gannon, William	Gordon, Richard
Green, Dennis	Griffin, Mary	Guthrie, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Manning, John	McMahon, Charles	Osborne, Jason
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Tasker, Kyle
Thomas, Douglas	True, Chris	Tucker, Pamela	Vose, Michael
Weyler, Kenneth	Woitkun, Steven		

STRAFFORD

Beaudoin, Steven	Berube, Roger	Bickford, David	Cheney, Catherine
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Leeman, Don	Mullen, John	Sprague, Dale
Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Laware, Thomas

and the Committee of Conference Report was adopted.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time and when the House adjourns today, it be to the Call of the Chair.
Motion adopted.

UNANIMOUS CONSENT

Rep. Harvey requested Unanimous Consent of the House regarding memorial remarks for the former Representative from Nashua, the Honorable Paul Hackel and addressed the House.
Rep. Mangipudi requested Unanimous Consent of the House regarding International Yoga Day and addressed the House.

MOTION TO PRINT REMARKS

Rep. Flanagan moved that the remarks made by Rep. Harvey be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Harvey: On June 3rd we lost one of our former House members, the Honorable Paul Hackel, who served three terms as a distinguished member of the Judiciary Committee. At the recent celebration of his life, people talked of Paul's warmth, humor, and big heart as a husband, father, grandfather, friend, and community leader. Paul, they each said, never spoke ill of anyone, it wasn't his way. He cared deeply about people and justice and, in everything he did, worked hard to make the world a better place. Paul graduated from the University of Vermont and received an MBA from Columbia University. He served in the US Army during the Korean War. Then, back in his home state, he chaired the Vermont Human Rights Commission, where he led the Mississippi Project, which resulted in the building of the Medgar Evers Community Center that still stands today in Jackson, Miss. Paul ran two family-owned companies in Vermont and then moved to Nashua in the late 1980s to be near family. He owned and operated Dream Kitchens, a thriving kitchen design store in Nashua that his daughter runs today. Back several years ago, I asked Paul to consider running with me in Nashua's Ward 2, and after talking it over with his wife, Sonya, he said yes. I couldn't have had a more generous running mate. Although Paul couldn't physically walk the district, he was part of our planning and our main cheerleader throughout the campaign. When his grandchildren did the literature drops for their grandfather, he made sure they took my literature as well. He and Sonya hosted many house parties for candidates and opened their home to house campaign workers. Paul loved serving in the House and was particularly proud of helping to pass NH's marriage equality bill into law. Thank you, Paul, for being with us and showing us what being a gentleman and a good citizen is all about. Please join me for a moment of silence to honor our colleague.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former Representative from Nashua, the Honorable Paul Hackel.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 153, 190, 212, 292, 333 and 531.

Rep. Hinch, Sen. Prescott for the Committee

RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of receiving Senate messages, enrolled bill amendments, enrolled bill reports and veto messages from the Governor, at the completion which the House will stand adjourned to the Call of the Chair.
Motion adopted.

The House recessed at 3:40 p.m.

RECESS

(Rep. Eastman in the Chair)

ENROLLED BILL AMENDMENT

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.

Amendment (2331-EBA)

Amend paragraph III of section 5 of the bill by replacing lines 1 and 2 with the following:

III. The following positions are hereby abolished at the close of business on January 1, 2017:

Department of Health and Human Services					
05-095-045-451010-7993	11610	11852	12162	12356	12725

Adopted.

SENATE MESSAGES

ADOPTION OF COMMITTEE OF CONFERENCE REPORTS

SB 32, relative to state agency budgetary reporting requirements.
SB 84, relative to the definition of "telemedicine."
SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements.
SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets, establishing a committee to study powdered or crystalline alcohol, and relative to the definition of alcohol.
SB 120-FN, relative to applicants for secondary game operator licenses.
SB 135-FN, relative to lead poisoning in children.
SB 151-FN, requiring inclusion of home educated pupils in the definition of average daily membership in attendance.
SB 169, relative to the use of electronic benefits transfer (EBT) cards.
SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules.
SB 235, relative to the condominium act and the land sales full disclosure act.
SB 254, establishing a committee to study the provision of services to the public by Uber and existing taxi services.
SB 266-FN, adopting the Uniform Securities Act.

CONCURRENCE

HJR 2, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire.

SENATE MESSAGE

The Senate has voted to override the Governor's veto on the following Bill:
HB 122, relative to advertising of liquor or beverages.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILL AMENDMENT

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

Amendment (2332-EBA)

Amend RSA 94:1-a, V(d) as inserted by section 8 of the bill by replacing line 1 with the following:
(d) Failure to remit payment for participation pursuant to subparagraph (a) in full within 30
Amend RSA 94:1-a, V(e) as inserted by section 8 of the bill by replacing line 1 with the following:
(e) Failure to remit payment in full for participation pursuant to subparagraph (b) within 60
Amend section 17 of the bill by replacing line 1 with the following:
17 New Paragraph; Lottery Commission; Incentive Program. Amend RSA 284:21-h by inserting after paragraph
Amend RSA 21-G:6-a as inserted by section 37 of the bill by replacing line 1 with the following:
21-G:6-a Electronic Credit Card Payments; Authorization to Administer. Notwithstanding any other
Amend section 89 of the bill by replacing line 3 with the following:
IV-a. "Executive director" means the executive director of the office of professional licensure
Amend section 90 of the bill by replacing line 3 with the following:
314:7, 314:8, 314:9, 314:10, I, 314:13.
Amend section 108 of the bill by replacing paragraph I with the following:
I. RSA 126-A:10-a, relative to the health and human services office of professional licensing.
Amend section 108 of the bill by replacing paragraph XII with the following:
XII. RSA 317-A:2, IV, relative to administrative attachment of the dental board.
Amend section 108 of the bill by replacing paragraph XVII with the following:
XVII. RSA 316-A:2, IV, relative to administrative attachment of the board of chiropractic examiners.
Amend section 108 of the bill by replacing paragraph XXV with the following:

XXV. RSA 137-F:3, VIII, relative to administrative attachment of the board of hearing care providers.

Amend section 108 of the bill by replacing paragraph XXXIII with the following:

XXXIII. RSA 326-H:7, VI, relative to administrative attachment of the board of licensed dieticians.

Amend section 117 of the bill by replacing lines 4 and 5 with the following:

state aid grants under RSA 486, RSA 486-A, or RSA 149-M, with the exception that infrastructure projects that had local authorization by December 31, 2008 to construct, but were not listed in 2013, 144:101,

Amend RSA 284:13 as inserted by section 122 of the bill by replacing line 1 with the following:

284:13 Supervision and Hearings.

I. The ***lottery*** commission shall have the power to conduct

Amend section 127 of the bill by replacing line 4 with the following:

284:8; the introductory paragraph of 284:12; 284:12-a; 284:13-a; 284:14; 284:15; 284:15-a; 284:15-b;

Amend section 127 of the bill by replacing line 6 with the following:

284:20-f; 284:20-g; 284:21; 284:22; 284:23; 284:31; 284:32-a; 284:32-b; 284:38-a; 287-A:8, III; 287-D:1,

Amend RSA 287-E:18, VIII as inserted by section 133 of the bill by replacing it with the following:

VIII. The issuance of subpoenas pursuant to RSA 287-E:26-a.

Amend section 135 of the bill by replacing line 2 with the following:

26 the following new section:

Amend RSA 21-P:61 as inserted by section 159 of the bill by replacing line 5 with the following:

safety administration and will aid the governor in the coordination of interdepartmental activities

Amend section 169 of the bill by replacing line 2 with the following:

deleting the following positions:

Amend section 201 of the bill by replacing lines 3-4 with the following:

in section 199 of this act, from any general fund balance remaining in classes 505, mid-level care expenses, 506, home support waiver services, and 529, home health care waiver services, at the end

Amend RSA 126-A:5, XIX(e) as inserted by section 209 of the bill by replacing line 6 with the following:

provisions of the Federal Medicaid statute, 42 U.S.C. section 1396r-8, and RSA 420-J:7-b, II, II-a, and

Amend RSA 6:13-d, I as inserted by section 211 of the bill by replacing line 12 with the following:

revenues and to be used for the purposes set forth in RSA 260:32-b, II(a), III(a), and IV(a).

Amend section 227 of the bill by replacing lines 1-3 with the following:

227 Fish and Game Department; Rulemaking; Fees. If the provisions of HB 212 of the 2015 regular legislative session which grant rulemaking authority to the executive director of fish and game to establish fees for licenses and permits issued under title XVIII become law, the statutory fees for any

Amend section 230 of the bill by replacing line 5 with the following:

for complex patients served by the Crotched Mountain Foundation in accounting unit 05-95-481510-

Amend section 231 of the bill by replacing lines 2-4 with the following:

Substance Use Disorder Services. Amend RSA 126-A:5 by inserting after paragraph XXVIII the following new paragraph:

XXIX. The commissioner shall submit a state plan amendment to the Center for Medicare

Amend section 242 of the bill by replacing line 6 with the following:

previously assessed. This amnesty shall only apply to taxes due but unpaid on or before February 15, 2016.

Amend section 244 of the bill by replacing line 4 with the following:

01-84-84-840010-7884-102 contracts for program services. The governor is authorized to draw a warrant

Amend section 245 of the bill by replacing lines 2-4 with the following:

Voluntary Disclosure Program. Amend RSA 21-J:3 by inserting after paragraph XXXI the following new paragraph:

XXXII. Establish a voluntary disclosure program for taxes administered by the department

Amend RSA 21-J:13, XIV as inserted by section 246 of the bill by replacing line 2 with the following:

under RSA 21-J:3, XXXII.

Amend RSA 187-A:13 as inserted by section 248 of the bill by replacing lines 7-9 with the following:

president of Keene state college, the president of the Granite state college[;].

II. [~~Eleven~~] ***Ten*** members appointed by the governor with the advice and consent of the council[;].

Amend the bill by inserting after section 268 the following and renumbering the original section 269 to read as 272:

269 Contingent Renumbering. If HB 564-FN of the 2015 regular legislative session becomes law, RSA 126-A:5, XIX(e), as inserted by section 209 of this act, shall be renumbered as RSA 126-A:5, XIX(f).

270 Legislative Budget Assistant; General Duties. RSA 14:31, V is repealed and reenacted to read as follows:

V. The commissioner of administrative services shall deliver to the legislative budget assistant the official financial information under the control of the commissioner as required by this section in a form unaltered from that which is finally reported in the state's integrated multi-module, information technology system, including any related subsystems. The approval of the governor, the speaker of the house of representatives, and the senate president shall be required for delivery of any other information, other than the official financial information required by this section. The right of access to information under this section shall not arise until after each transaction or event subject to RSA 91-A has taken place. Such information shall be provided to the legislative budget assistant in a mutually agreeable and compatible format at the end of each business day. The legislative budget assistant shall be subject to the provisions of RSA 21-I:13-a, II and RSA 21-G:37, I-III. This paragraph shall not be construed as granting the legislative budget assistant access to any information or any information system relative to the internal functions of the office of the governor or any executive agency, department, board, commission, or institution.

271 Contingency. If SB 86 of the 2015 regular legislative session becomes law, section 270 of this act shall take effect at 12:01 a.m. on January 1, 2016. If SB 86 of the 2015 regular legislative session does not become law, section 270 of this act shall not take effect.

Amend section 272 of the bill by inserting after paragraph VII the following and renumbering the original paragraph VIII to read as X:

VIII. Section 270 of this act shall take effect as provided in section 271 of this act.

IX. Section 203 of this act shall take effect as provided in section 204 of this act.

Adopted.

RECESS

(Rep. Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1 and 2 and House Joint Resolution numbered 2.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. True in the Chair)

ENROLLED BILL AMENDMENTS

HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers.

Amendment (2327-EBA)

Amend RSA 263:12, X as inserted by section 1 of the bill by replacing line 18 with the following:
or secondhand dealer may maintain in a log or other document the name and address
Adopted.

HB 455-FN, relative to the board of managers of the New Hampshire veterans' home, relative to the reporting process for certain departments and divisions of departments, and extending the commission to study mental health implementation in New Hampshire.

Amendment (2324-EBA)

Amend RSA 119:14 as inserted by section 3 of the bill by replacing line 5 with the following:
member's home of residence to and from the veterans' home or any other place designated
Amend the bill by deleting section 8 and renumbering the original sections 9-35 to read as 8-34, respectively.

Amend RSA 485-A:4, XVI-c(a) as inserted by section 10 of the bill by replacing line 1 with the following:

(a) To design and implement a program for state or independent third party sampling

Amend RSA 282-A:112, I as inserted by section 12 of the bill by replacing line 4 with the following:
investigations, and take such other action as he ***or she*** deems necessary or suitable to that end. The

Amend section 20 of the bill by replacing line 1 with the following:

20 State Solid Waste Plan and Report. Amend the introductory paragraph
Amend section 33 of the bill by replacing line 2 with the following:
2014, 253:4, I to read as follows:
Adopted.

HB 486, authorizing towns and cities to establish special assessment districts and establishing a committee to study the creation of a special village district in Danbury.

Amendment (2334-EBA)

Amend RSA 52-A:9, I as inserted by section 2 of the bill by replacing line 3 with the following:
purposes authorized under RSA 33:3 or RSA 33:3-c. All bonds or notes authorized in accordance with this
Adopted.

HB 584-FN, making various changes to laws relating to motor vehicles and vessels.

Amendment (2319-EBA)

Amend section 3 of the bill by replacing it with the following:

3 Antique Motor Vehicle or Motorcycle Definition. Amend RSA 259:4 to read as follows:

259:4 Antique Motor Vehicle or Motorcycle. "Antique motor vehicle or motorcycle" shall mean any motor vehicle, including a truck regardless of its weight, over 25 years old which is maintained for use in exhibitions, club activities, parades, and other functions of public interest, but not for use in commerce. ***For the purposes of this section, "maintained for use" shall mean a motor vehicle or motorcycle in its original condition or restored to original or better condition and not intended for daily use.***

Amend RSA 261:88, V as inserted by section 8 of the bill by replacing lines 23 and 24 with the following:
Affairs to be permanently and totally disabled from a service-connected disability. Upon request of the applicant, the director shall issue one additional placard
Amend RSA 261:57-a, I as inserted by section 9 of the bill by replacing line 7 with the following:
the bureau of certificate of title. A permanent registration certificate and permanent number
Adopted.

HB 666-FN, relative to licensing of money transmitters.

Amendment (2339-EBA)

Amend RSA 399-G:4, III(b) as inserted by section 1 of the bill by replacing line 1 with the following:
(b) The persons described in subparagraph (a) shall submit to the department a
Amend RSA 399-G:4, IV(d) as inserted by section 1 of the bill by replacing line 2 with the following:
a new bond. Immediately upon recovery upon any action on the bond, the licensee shall file a new
Amend RSA 399-G:8, I as inserted by section 1 of the bill by replacing line 1 with the following:
I. A licensee who ceases to engage in the business of money transmission at any time during
Adopted.

SB 124-FN, relative to filing felonies first in the superior court. (Amendment printed SJ 6-24-15)
Adopted.

RECESS

(Rep. Hoell in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 225, 230, 270, 309, 330, 395, 425, 441, 464, 479, 484 and 495 and Senate Bills numbered 179, 190, 191, 192, 221, 232 and 254.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Wallner in the Chair)

ENROLLED BILL AMENDMENT

HB 25-FN-A, making appropriations for capital improvements.

Amendment (2343-EBA)

Amend section 2 of the bill by replacing line 10 with the following:

Total state appropriation paragraph II $5,497,404

Amend section 4 of the bill by replacing line 1 with the following:

4 Expenditures; General. The appropriations made for the purposes mentioned in sections 1 and

Amend section 5 of the bill by replacing line 5 of paragraph II with the following:

such terms and conditions as the board determines. These moneys shall be spent under the direction

Amend section 7 of the bill by replacing line 1 with the following:

7 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2 of this

Amend section 8 of the bill by replacing line 5 with the following:

The source of funds are as follows: general fund $125,858,414, highway fund $18,576,904, and

Amend section 12 of the bill by replacing line 6 with the following:

which federal, local, or other funds are reduced. The amount of bonding authorized by section 8 shall

Amend section 23 of the bill by replacing paragraph 123 with the following:

123. The appropriation made to the New Hampshire veterans' home in 2011, 253:1, XV, A extended by 2013, 195:47, 112 for electronic medical records.

Adopted.

HB 407, establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions and establishing a committee to study honorary legislation.

Amendment (2351-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions.

Adopted.

RECESS

(Rep. Eaton in the Chair)

ENROLLED BILL AMENDMENTS

SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets, establishing a committee to study powdered or crystalline alcohol, and relative to the definition of alcohol. (Amendment printed SJ 6-24-15)

Adopted.

SB 170, requiring the public utilities commission to ensure ratepayer protections with electric power suppliers and extending the time for the site evaluation committee to adopt certain rules. (Amendment printed SJ 6-24-15)

Adopted.

RECESS

(Rep. Eaton in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 391, 455, 506 and 666.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

HB 142, relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law, and establishing a commission to study social impact bond funding for early childhood education for at-risk students.

Amendment (2355-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT relative to student social media policies by educational institutions and nonpublic sessions under the right-to-know law.

Adopted.

HB 219-FN, relative to the use of electronic benefits transfer (EBT) cards.

Amendment (2349-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the use of electronic benefit transfer (EBT) cards.

Adopted.

HB 460, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges.

Amendment (2357-EBA)

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. Section 2 of this act shall take effect November 1, 2015.

Adopted.

HB 468-FN, requiring a warrant to obtain electronic device location information and relative to appropriations for nursing homes.

Amendment (2345-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT requiring a warrant to obtain electronic device location information.

Adopted.

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association and relative to cost-sharing parity for oral anti-cancer therapies.

Amendment (2362-EBA)

Amend section 1 of the bill by replacing line 1 with the following:

1 Statement of Purpose. The purpose of sections 1-5 of this act is to provide a mechanism for

Adopted.

HB 550-FN, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax.

Amendment (2347-EBA)

Amend RSA 77-A:4, XIV(b) as inserted by section 13 of the bill by replacing line 4 with the following: profits under subparagraph (a). It also shall not be allowed a deduction against gross business profits in

Adopted.

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and relative to the siting of high pressure gas pipelines.

Amendment (2350-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT relative to the siting of high pressure gas pipelines.

Amend the bill by replacing line 1 of section 4 with the following:

1 New Section; Siting of High Pressure Gas Pipelines. Amend RSA 162-H by inserting after

Amend the bill by replacing line 1 of section 5 with the following:

2 Certificate Terms and Conditions. Amend RSA 162-H:16, VI to read as follows:

Amend the bill by replacing line 1 of section 6 with the following:

3 Effective Date. This act shall take effect upon its passage.

Adopted.

HB 599, relative to the economic revitalization zone tax credit program.

Amendment (2346-EBA)

Amend RSA 162-N:1 as inserted by section 8 of the bill by replacing line 1 with the following:
162-N:1 [~~Definition~~] ***Definitions***. In this chapter[~~,~~]:
Adopted.

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property.

Amendment (2348-EBA)

Amend RSA 79-H:1 as inserted by section 1 of the bill by replacing line 4 with the following:
the property taxes attributable to the chartered public school facilities be taxed to the owner at the
Amend RSA 79-H:4, III as inserted by section 1 of the bill by replacing line 3 with the following:
classify or refuse to classify the property under the provisions of this chapter by delivery of such
Amend RSA 79-H:4, IV as inserted by section 1 of the bill by replacing line 3 with the following:
list shall be part of the record and subject to inspection as provided in RSA 76:7.
Adopted.

RECESS

(Speaker Jasper in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 25, 115, 323, 358, 364, 407, 421, 483, 486, 584, 614 and 681 and Senate Bills numbered 32, 84, 97, 120, 124, 135, 151, 169 and 235.

Rep. Hinch, Sen. Bradley for the Committee

SENATE MESSAGE

The following entitled House Resolutions sent up from the House of Representatives were not admitted into the Senate under Senate Rule 3-26.

HCR 2, applying to Congress to hold a convention for amendments.
HCR 4, urging Congress to adopt a policy ending the use of a backward American Flag on military uniforms.

RECESS

(Rep. Bartlett in the Chair)

ENROLLED BILL AMENDMENTS

SB 188-FN, revising banking, credit union, and trust laws. (Amendment printed SJ 6-24-15)
Adopted.

SB 266-FN, adopting the Uniform Securities Act. (Amendment printed SJ 6-24-15)
Adopted.

RECESS

(Rep. Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 142, 219, 305, 460, 468, 508, 550, 572, 599 and 662 and Senate Bills numbered 99 and 170.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENT

HB 577-FN-A-L, establishing a children's savings account program, and relative to the bonding authority of the city of Dover.

Amendment (2365-EBA)

Amend section 2 of the bill by replacing lines 2-5 with the following:
after chapter 195-I the following new chapter:

CHAPTER 195-J

NEW HAMPSHIRE CHILDREN'S SAVINGS ACCOUNT PROGRAM

195-J:1 Program Established. There is hereby established in the office of the state treasurer the

Amend RSA 195-I:2 as inserted by section 2 of the bill by replacing line 1 with the following:

195-J:2 Commission Established.

Amend RSA 195-I:3 as inserted by section 2 of the bill by replacing line 1 with the following:

195-J:3 Duties of the Commission. The commission shall:

Amend RSA 195-I:4 as inserted by section 2 of the bill by replacing line 1 with the following:

195-J:4 Reports.

Amend RSA 195-I:4, II(c) as inserted by section 2 of the bill by replacing line 3 with the following: the senate president regarding the policies adopted by the commission pursuant to RSA 195-J:3.

Amend RSA 195-I:5 as inserted by section 2 of the bill by replacing it with the following:

195-J:5 Children's Savings Account Fund Established. There is established a children's savings account fund in the office of the state treasurer. This fund shall be kept distinct and separate from other funds. The fund shall be administered by the children's savings account commission established in RSA 195-J:2 and shall be nonlapsing and continually appropriated to the commission for the purposes of establishing children's savings accounts initially through pilot programs, and eventually statewide, pursuant to RSA 195-J:3. The commission may accept and shall deposit any gifts, grants, donations, or other moneys from any source into the fund.

Amend RSA 195-I:6 as inserted by section 2 of the bill by replacing line 1 with the following:

195-J:6 Privacy.

Amend RSA 195-I:6, I as inserted by section 2 of the bill by replacing line 2 with the following: establishing policies, practices, and procedures pursuant to RSA 195-J:3 and RSA 193-E:5, the

Adopted.

RECESS

(Rep. Backus in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 577 and Senate Bills numbered 188 and 266.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

HOUSE JOURNAL No. 19

Wednesday, September 16, 2015

The House assembled at 1:00 p.m., and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

From a prayer attributed to Sir Francis Drake, 1577.

Disturb us, Lord, when
We are too pleased with ourselves,
When our dreams have come true
Because we dreamed too little,
When we arrived safely
Because we sailed too close to the shore.
Disturb us, Lord, when
With the abundance of things we possess
We have lost our thirst
For the waters of life;
Having fallen in love with life,
We have ceased to dream of eternity
And in our efforts to build a new earth,
We have allowed our vision
Of the new Heaven to dim.
Disturb us, Lord, to dare more boldly,
To venture on wilder seas
Where storms will show Your mastery;
Where losing sight of land,
We shall find the stars.
We ask You to push back
The horizons of our hopes;
And to push into the future
In strength, courage, hope, and love,

This we ask in the name of our Captain, who is almighty God. Amen.

Representative Charles McMahon, member from Windham, led the Pledge of Allegiance.

The National Anthem was sung by William Veenstra of Canterbury.

LEAVES OF ABSENCE

Reps. Harvey and Sanders, the day, illness.
Reps. Gile, Pamela Gordon, Oligny, Parent, Piper, Sykes, Takesian, Douglas Thomas, Verschueren and Williams, the day, important business.

INTRODUCTION OF GUESTS

Alice and Carol Flavin-Veenstra, parents of the singer, guests of Rep. Moffett. James and Marilyn Spearman, and Joel Weinrebe, parents and guest of Rep. LeBreche. Scott Wacsmouth, guest of Rep. Howard. M.J. Ostrowski, guest of Reps. Ticehurst and Butler. Keith Carlsen, guest of Rep. Ammon. Gia Vitale, guest of Rep. Tamburello. The Honorable Jeffery Brown, former Representative from Seabrook, guest of Rep. Cushing.

MOTION TO REMOVE JACKETS

Rep. Hoelzel moved that members be allowed to remove their jackets.
Motion adopted.

COMMUNICATION

August 5, 2015

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:
Rockingham County District No. 20
Rio Tilton, r, Seabrook (118 Railroad Ave.) 03874

Sincerely,
William M. Gardner, Secretary of State

HOUSE RESOLUTION NO. 15

Memorializing State Representative Robbie Parsons of Milton

WHEREAS, we have learned with profound sorrow of the death of our friend and colleague, Robbie L. Parsons, who was serving his third term as a State Representative representing the citizens of Strafford County District 1, the towns of Middleton and Milton; and

WHEREAS, Robbie Parsons served with diligence and enthusiasm on the committees on Criminal Justice and Public Safety and Judiciary receiving praise from committee colleagues, regardless of party, for his attention to detail and quest for understanding; and

WHEREAS, Robbie Parsons was dedicated to the county in which he lived, being elected Vice Chair of his delegation and worked with county officials to help open a hospice care center, that recently honored Robbie by naming their memorial garden for him; and

WHEREAS, Robbie Parsons was dedicated to the communities he lived in by serving on various boards and commissions for the sole purpose of helping to improve the lives of the people he worked with; and

WHEREAS, despite a long and sustained battle with cancer, Robbie Parsons continued to serve in Concord as much as he was able with little complaint and provided friendship and advice to his colleagues in the House of Representatives; and

WHEREAS, above all, Robbie L. Parsons was a dedicated family man who relished spending time with his wife, children, step-children, grand children and great-granddaughter; now, therefore, be it

RESOLVED, by the House of Representatives in Regular Session convened, Robbie L. Parsons be granted the highest praise and accolades and our profound thanks for his service to his state and the town he called home, and, be it further

RESOLVED, that expressions of our most heartfelt sympathy be extended to his family and that a suitable copy of this Resolution be prepared for presentation to them.

Offered and adopted unanimously by the House of Representatives.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Milton, the Honorable Robbie Parsons.

AMENDMENT TO HOUSE RULES

Reps. Flanagan and Shurtleff moved the adoption of an amendment to House Rules, as proposed by the Rules Committee and as printed in the House Calendar, to House Rule 65 adding deadlines for legislative action in the 2016 Session.

January 6, 2016	Last day to introduce House Bills
February 4, 2016	Last day to report House Bills going to a second committee
February 11, 2016	Last day to act on House Bills going to a second committee

March 3, 2016	Last day to report House Bills not in a second committee
March 10, 2016	Last day to act on House Bills not in a second committee
March 17, 2016	Last day to report all House Bills
March 24, 2016	CROSSOVER – Last day to act on all House Bills
April 14, 2016	Last day to report Senate Bills going to a second committee
April 21, 2016	Last day to act on Senate Bills going to a second committee
May 5, 2016	Last day to report all remaining Senate Bills
May 12, 2016	Last day to act on all remaining Senate Bills
May 19, 2016	Last day to form Committees of Conference
May 26, 2016	Last day to sign Committee of Conference Reports
June 2, 2016	Last day to act on Committee of Conference Reports

Motion adopted by the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 332

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 26, 2015, I have vetoed House Bill 332, relative to school district policy regarding objectionable course material. By imposing inflexible notice requirements on certain curricula, House Bill 332 would be an impediment to an adaptable learning environment, which is critical to helping our students develop the skills and critical thinking necessary for success in the 21st century economy. Furthermore, this bill would make it more difficult for young people to receive critical public health education and it could affect a wide range of curricula – including science and the study of important literature, ranging from Mark Twain to Shakespeare. Current New Hampshire law requires school districts to adopt a policy allowing an exception to specific course material based on a parent's or legal guardian's determination that the material is objectionable, and it also addresses parental objections to health and sex education based on religious beliefs, rendering this bill unnecessary. By requiring schools to provide no less than two weeks' notice to parents of all materials – literary books, textbooks, worksheets, videos, online resources – that even touch upon human sexuality or human sexual education, this bill imposes strict, over-burdensome notification requirements that could lead to schools avoiding material of merit and historical importance because it could potentially elicit objections and even litigation. In addition, these notification requirements could prohibit the natural, spontaneous discussions that arise in the context of everyday learning. Additionally and just as troublesome, this bill aims to put in place additional barriers for New Hampshire students who decide to access education about sexual health. Research has shown that teens who participate in comprehensive health education programs that discuss the importance of delaying sex and provide information about contraceptives are less likely to experience teen pregnancy or sexually transmitted diseases. House Bill 332 would create an even greater stigma concerning sex education and lead to fewer students having access to important health information, which can have far-reaching, negative impacts on the health of our young people and communities. New Hampshire law already provides protections that allow parents to opt their children out from curricula that the parents consider to be objectionable. This unnecessary law would only serve to inhibit classroom discussions and access to important information about health education, while opening the door to notification policies that could lead to censorship. Therefore, I have vetoed House Bill 332."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 332,** relative to school district policy regarding objectionable course material, become law?
Rep. Heath spoke against and yielded to questions.
Rep. Victoria Sullivan spoke in favor and yielded to questions.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 226 - NAYS 148

YEAS - 226

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Luther, Robert
Russell, David	Spanos, Peter	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Varney, Peter		

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Umberger, Karen		

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin
Tilton, Benjamin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Burt, John	Byron, Frank
Christensen, Chris	Christiansen, Lars	Christie, Rick	Coffey, James
Cohen, Alan	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric	Ferreira, Elizabeth
Flanagan, Jack	Fromuth, Bart	Gagne, Larry	Gonzalez, Carlos
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Herbert, Christopher	Hinch, Richard
Hogan, Edith	Hopper, Gary	Infantine, William	Kurk, Neal
Lachance, Joseph	LeBrun, Donald	Marston, Dick	McCarthy, Peggy
McClarren, Donald	McLean, Mark	Moore, Josh	Murotake, David
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell	Ohm, Bill	Palmer, Barry	Parison, James
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Silva, Peter	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kotowski, Frank	Kuch, Bill
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Patten, Dick	Seaworth, Brian	Walsh, Thomas	

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian

Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Doucette, Fred
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Tilton, Rio
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Berube, Roger
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 148

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan
Wright, Ted

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Ford, Susan
Hennessey, Martha
Higgins, Patricia
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Cornell, Patricia
Cote, David
DiSilvestro, Linda
Forest, Armand
Freitas, Mary
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Guerette, C. Lee
Hansberry, Daniel
Heath, Mary
Jack, Martin
Jeudy, Jean
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Sullivan, Daniel
Vann, Ivy
Walsh, Robert
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Long, Douglas	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Ward, Gerald		

STRAFFORD

Baber, William	Bixby, Peter	Burton, Wayne	Cilley, Jacalyn
DiSesa, Len	Gardner, Janice	Horrigan, Timothy	Kaen, Naida
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet	Ward, Kenneth	Whitehouse, Joshua	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the veto was sustained.

GOVERNOR'S VETO MESSAGE ON HB 449

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 6th, 2015, I have vetoed House Bill 449, relative to the duration of child support. Finishing high school or high school equivalency programs is vitally important to the economic well-being of our youth, helping them develop the skills and innovative thinking necessary for success in the 21st century economy, and current law requires that child support continues until a child graduates from high school, even if the child is over age 18. House Bill 449, if enacted, would end child support orders for any child over the age of 18 who chooses to pursue the HiSET or any other high school equivalency program as opposed to attending a traditional high school. In doing so, I believe this bill would create two different standards for youth and their families, elevating one path to completing education above another. As a state, we have recognized that not every child thrives in the traditional classroom environment and have worked to offer alternatives to allow students to finish their high school degrees so that they may better compete in the workforce and participate in higher education if they so choose. For example, in 2014, 317 New Hampshire students between the ages of 16 and 19 completed the HiSET exam. This legislation would say those children no longer merit the support of both of their parents as they work to complete their high school education and prepare themselves for future success. It is also unclear what impact this legislation might have on home-schooled students, who do not attend a traditional high school but may participate in a high school equivalency program as part of their efforts to enter the workforce or apply for college. House Bill 449 would also terminate child support forever if a child over the age of 18 is incarcerated, even if the incarceration is only for a short duration and the child returns to high school, which could greatly inhibit our efforts to help youthful offenders put their lives back on track. A child who is struggling in a traditional high school environment but pursuing a high school equivalency degree may still need the support – both emotional and financial – of their parents. It should not be arbitrarily withdrawn because they are taking a slightly different path than others in their age group. It may be appropriate to place time limits on how long a child has to finish an equivalency program, but to arbitrarily cut off child support on the first day a child chooses a different path is not good for the children of our state. Therefore, I have vetoed House Bill 449."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 449,** relative to the duration of child support, become law?
Rep. Alicea spoke against.
Rep. Jones spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 229 - NAYS 151

YEAS - 229

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fields, Dennis
Fisher, Robert	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Sterling, Franklin
Tilton, Benjamin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John			

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos
Gould, Linda	Goulette, William	Griffin, Barbara	Haefner, Robert
Halstead, Carolyn	Hansen, Peter	Hinch, Richard	Hogan, Edith
Hopper, Gary	Infantine, William	Kurk, Neal	Lachance, Joseph
LeBrun, Donald	Marston, Dick	McCarthy, Peggy	McClarren, Donald
McLean, Mark	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Silva, Peter	Simmons, Tammy
Smith, Gregory	Souza, Kathleen	Stepanek, Stephen	Straight, Phillip
Sullivan, Victoria	Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan
Wolf, Terry	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hess, David	Hill, Gregory
Hoell, J.R.	Horn, Werner	Kidder, David	Kotowski, Frank
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	Walsh, Thomas

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Friel, William
Gannon, William	Gordon, Richard	Green, Dennis	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Osborne, Jason	Packard, Sherman	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Tilton, Rio
True, Chris	Tucker, Pamela	Vose, Michael	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven
Wood, David			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Mullen, John
Pitre, Joseph	Turcotte, Leonard	Whitehouse, Joshua	Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Grenier, James	Laware, Thomas	Rollins, Skip
Smith, Steven			

NAYS - 151

BELKNAP

Flanders, Donald

CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Heath, Mary	Herbert, Christopher	Jack, Martin
Jeudy, Jean	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Peckham, Michele	Sherman, Thomas	Ward, Gerald	

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the veto was sustained.

GOVERNOR'S VETO MESSAGE ON HB 550

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 20, 2015, I have vetoed House Bill 550, relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax. Like many others, I am disturbed by the process that brought this bill to my desk. It was passed at the last moment, with no public hearing before the vote. That defective process has understandably raised concerns among members of the legislature and the public. However, I remain open to considering legislation similar to House Bill 550 as part of a larger budget agreement if this tax law change it proposes is paid for. New Hampshire's absence of a sales or income tax has long served to our state's advantage in attracting businesses and people to our state. It has, however, also led to the development of some areas of our tax code that are unique, which can at times be confusing to outside observers. I have heard from a number of businesses that New Hampshire should work to mitigate the impact of such provisions, particularly those that House Bill 550 seeks to address, because at times these provisions can hinder capital investment in New Hampshire companies. I remain willing and open to work in a bipartisan manner to address this concern. House Bill 550 also suffers from the same problem as the budget that I recently vetoed. It encompasses a significant tax cut that will impact this budget and future budgets without addressing how New Hampshire will pay for it. Cutting taxes without offsetting the loss in revenue will jeopardize our state's ability to invest in the priorities that are critical to our state's families, businesses and our future

in the 21st century innovation economy. Many of the same businesses who have expressed support for legislation similar to House Bill 550 have also raised concerns about New Hampshire losing the ability to support the critical economic priorities necessary to keep our state competitive, priorities such as affordable higher education, modern and safe transportation, accessible health care, and combating the substance abuse crisis. As long as the tax cut House Bill 550 contemplates is paid for, I am willing to address the tax relief it proposes, as well as the larger issue of business tax reductions, in a compromise budget that ensures that we make these reductions in a way that does not jeopardize our state's economic priorities and future. It is my continued hope that legislative leaders will promptly return to the table and negotiate in good faith a bipartisan budget compromise, so that we can move forward and address the issues of House Bill 550, as well as the other critical issues facing our state. In the meantime, however, we cannot continue to enact business tax reductions without transparently and honestly paying for them in budget. For this reason, I have vetoed HB 550."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 550,** relative to administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax, become law?
Rep. Lovejoy spoke against.
Reps. Sanborn and Abrami spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 230 - NAYS 147

YEAS - 230

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Luther, Robert	Russell, David
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Umberger, Karen	Wright, Ted

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Roberts, Kris
Sterling, Franklin			

COOS

Fothergill, John	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Tholl, John	Thomas, Yvonne		

GRAFTON

Bailey, Brad	Brown, Duane	Darrow, Stephen	Gionet, Edmond
Hennessey, Erin	Hull, Robert	Ingbretson, Paul	Johnson, Eric
Ladd, Rick	Shackett, Jeffrey		

HILLSBOROUGH

Ammon, Keith	Balcom, John	Barry, Richard	Belanger, James
Biggie, Barbara	Boehm, Ralph	Bouldin, Amanda	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Danielson, David	Donovan, Daniel	Eastman, Eric
Edelblut, Frank	Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack
Fromuth, Bart	Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos

Gould, Linda
Goulette, William
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansen, Peter
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Marston, Dick
McCarthy, Peggy
McClarren, Donald
McLean, Mark
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Proulx, Mark
Rice, Kimberly
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Seidel, Carl
Silva, Peter
Simmons, Tammy
Smith, Gregory
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Wolf, Terry
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hess, David
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Abramson, Max
Allen, Mary
Azarian, Gary
Baldasaro, Alfred
Barnes, Arthur
Bates, David
Belanger, Ronald
Bush, Carol
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Friel, William
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Kellogg, Shem
Kolodziej, Walter
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Osborne, Jason
Packard, Sherman
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Sweeney, Joe
Sytek, John
Tamburello, Daniel
Tasker, Kyle
Tilton, Rio
True, Chris
Tucker, Pamela
Vose, Michael
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Beaudoin, Steven
Bickford, David
Cheney, Catherine
DeLemus, Susan
Gray, James
Groen, Warren
Hannon, Joseph
Jones, Laura
Kaczynski, Jr., Thomas
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Sprague, Dale
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest
Grenier, James
Laware, Thomas
Rollins, Skip
Smith, Steven

NAYS - 147

CARROLL

Buco, Thomas
Butler, Edward
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Ley, Douglas

Mann, John	Parkhurst, Henry	Pearson, William	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Theberge, Robert

GRAFTON

Abel, Richard	Almy, Susan	Bennett, Travis	Brown, Chris
Brown, Rebecca	Cooney, Mary	Ford, Susan	Hennessey, Martha
Higgins, Patricia	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Edwards, Elizabeth	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Guerette, C. Lee
Hansberry, Daniel	Heath, Mary	Herbert, Christopher	Jack, Martin
Jeudy, Jean	Leishman, Peter	Long, Patrick	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Sullivan, Daniel	Vann, Ivy	Walsh, Robert	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah	

ROCKINGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	DiFranco, Debbie	Francese, Paula	Heffron, Frank
Lovejoy, Patricia	McBeath, Rebecca	Moody, Marcia	Pantelakos, Laura
Sherman, Thomas	Ward, Gerald		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Stevens, Audrey	Treleaven, Susan
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Irwin, Virginia	O'Hearne, Andrew	Oxenham, Lee	Schmidt, Andrew

and the veto was sustained.

SENATE MESSAGE

The Senate has passed a Bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 9-FN-A-L, relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, and reducing the rates of the business profits tax and the business enterprise tax.

MOTION TO SUSPEND HOUSE RULES

Reps. Flanagan and Shurtleff moved that all necessary House Rules be so far suspended as to permit introduction and consideration of Senate Bill 9, without the required referral to committee, public hearing or report from committee, and if passed, allow for immediate third reading.

APPEAL OF THE RULING OF THE CHAIR

Rep. William O'Brien appealed the ruling of the Chair on the ruling that introduction of a new bill does not violate any constitutional provision or statute regarding appropriation of money bills originating in the House.

The question being shall the ruling of the Chair be upheld?
Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 286 - NAYS 89

YEAS - 286

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
McCarthy, Frank	McConkey, Mark	Nelson, Bill	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Shackett, Jeffrey	Smith, Suzanne	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Biggie, Barbara	Booras, Efstathia
Brown, Pamela	Byron, Frank	Christensen, Chris	Christiansen, Lars
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
DiSilvestro, Linda	Donovan, Daniel	Edelblut, Frank	Edwards, Elizabeth
Flanagan, Jack	Forest, Armand	Freitas, Mary	Gagne, Larry
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Griffin, Barbara	Guerette, C. Lee	Haefner, Robert
Halstead, Carolyn	Hansberry, Daniel	Hansen, Peter	Heath, Mary
Herbert, Christopher	Hinch, Richard	Hopper, Gary	Infantine, William
Jack, Martin	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Leishman, Peter	Long, Patrick	Mangipudi, Latha	Manley, Jonathan
McCarthy, Peggy	McClarren, Donald	McNamara, Richard	Murotake, David

O'Brien, Michael	O'Neil, William	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Pellegrino, Anthony	Peterson, Ken
Pierce, David	Porter, Marjorie	Proulx, Mark	Rice, Kimberly
Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire	Rowe, Robert
Seidel, Carl	Shattuck, Gilman	Shaw, Barbara	Simmons, Tammy
Smith, Gregory	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Souza, Kathleen	Straight, Phillip	Sullivan, Daniel	Ulery, Jordan
Vann, Ivy	Walsh, Robert	Wolf, Terry	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Long, Douglas	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	DiFranco, Debbie	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Katsakiores, Phyllis	Lovejoy, Patricia	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	McMahon, Charles	Milz, David	Moody, Marcia
Nigrello, Robert	O'Connor, John	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Potucek, John	Sherman, Thomas	Sweeney, Joe
Sytek, John	Tilton, Rio	Vose, Michael	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Jones, Laura	Kaen, Naida
Leeman, Don	Mullen, John	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet
Ward, Kenneth			

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

NAYS - 89

BELKNAP

Aldrich, Glen	Fisher, Robert	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Sylvia, Michael	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Brown, Duane
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Christie, Rick
Coffey, James
Eastman, Eric
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gould, Linda
Goulette, William
Hogan, Edith
Marston, Dick
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Parison, James
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Silva, Peter
Stepanek, Stephen
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Hill, Gregory
Hoell, J.R.
Horn, Werner
Kuch, Bill
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Seaworth, Brian

ROCKINGHAM

Abramson, Max
Baldasaro, Alfred
Bates, David
Bush, Carol
Cook, Allen
Duarte, Joe
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Kappler, Lawrence
Kellogg, Shem
Kolodziej, Walter
Osborne, Jason
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Spillane, James
Tamburello, Daniel
Tasker, Kyle
True, Chris
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
DeLemus, Susan
Groen, Warren
Hannon, Joseph
Kaczynski, Jr., Thomas
Knowles, Robert
Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Bridge, Ernest

and the ruling of the Chair was upheld.

The question now being adoption of the motion to suspend House Rules.
Reps. Burt, Stepanek, Hoell and William O'Brien spoke against.
Reps. Itse and Sanborn spoke against and yielded to questions.
Reps. Shurtleff and Hinch spoke in favor.
Rep. Lynne Ober spoke in favor and yielded to questions.

(Rep. Packard in the Chair)

Rep. Jasper spoke in favor and yielded to questions.

(Speaker Jasper in the Chair)

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 285 - NAYS 93

YEAS - 285

BELKNAP

Dumais, Russell
Fields, Dennis
Flanders, Donald
Fraser, Valerie
Luther, Robert
Russell, David
Spanos, Peter
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Cordelli, Glenn
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Nelson, Bill
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Infantine, William
Jack, Martin
Jasper, Shawn
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Lovejoy, Patricia
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Schroadter, Adam
Sherman, Thomas
Sytek, John
Tilton, Rio
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Gardner, Janice
Gray, James
Horrigan, Timothy
Jones, Laura
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Converse, Larry
Gagnon, Raymond
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Laware, Thomas
O'Hearne, Andrew
Oxenham, Lee
Rollins, Skip
Schmidt, Andrew
Smith, Steven

NAYS - 93

BELKNAP

Aldrich, Glen
Comtois, Guy
Fisher, Robert
Gallagher, Brian
Howard, Jr., Raymond
Hurt, George
LeBreche, Shari
Sylvia, Michael
Vadney, Herbert
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
Wright, Ted

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence

GRAFTON

Brown, Duane
Hull, Robert
Ingbretson, Paul
Johnson, Eric

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Bouldin, Amanda
Burt, John
Christie, Rick
Coffey, James
Eastman, Eric
Estevez, Eric
Ferreira, Elizabeth
Fromuth, Bart
Gould, Linda
Goulette, William
Hansen, Peter
Hogan, Edith
Marston, Dick
McLean, Mark
Moore, Josh
Murphy, Keith
Notter, Jeanine
O'Brien, William
Parison, James
Sanborn, Laurie
Schleien, Eric
Scontsas, Lisa
Silva, Peter
Simmons, Tammy
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Duarte, Joe	Green, Dennis	Harris, Jeffrey	Hodgdon, Bruce
Itse, Daniel	Kappler, Lawrence	Kellogg, Shem	Kolodziej, Walter
Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick	Spillane, James
Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle	True, Chris
Tucker, Pamela	Vose, Michael		

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert	Turcotte, Leonard
Whitehouse, Joshua	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest

and the motion was adopted by the necessary two-thirds vote.

RESOLUTION

INTRODUCTION OF SENATE BILL

Reps. Flanagan and Shurtleff offered the following: RESOLVED, that late introduction having been approved by a two-thirds vote of the House and in accordance with the list in the possession of the Clerk, Senate Bill numbered 9 shall be by this resolution read a first and second time by the therein listed title.

Motion adopted.

SB 9-FN-A-L, relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, and reducing the rates of the business profits tax and the business enterprise tax.

CONSIDERATION OF SB 9-FN-A-L

Rep. Hinch moved Ought to Pass.

Rep. Itse offered floor amendment (2391h).

Floor Amendment (2391h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, reducing the rates of the business profits tax and the business enterprise tax, and relative to eligibility to vote and relative to availability of voter information.

Amend the bill by replacing all after section 26 with the following:

27 Voter; Domicile. Amend RSA 654:1, I to read as follows:

I.*(a)* Every inhabitant [~~of the state~~], having [~~a single~~] established domicile [~~for voting purposes~~] ***in this state for no less than 30 consecutive days before any election where the inhabitant offers to vote***, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled.

(b)(1) An inhabitant's domicile for voting purposes [~~is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.~~] ***shall be the principal or primary home or place of abode of a person. Principal***

or primary home or place of abode is that home or place in which his or her habitation is fixed and to which a person, whenever he or she is temporarily absent, has the intention of returning after a departure or absence therefrom, including when the person is absent because of military service or temporarily absent as described in RSA 654:2.

(2) In determining what is a principal or primary place of abode of a person, without limitation the following factors or evidence relating to such person may be taken into account: civic and community participation, the place where a person spends most nights of the year, the location from which a person would apply for a passport or other federal identification, residence for income or other tax purposes, eligibility for a resident hunting and fishing license, and a New Hampshire driver's license.

(3) A qualified voter who has left his or her home and gone into another state or town of this state for a temporary purpose only shall not be considered to have lost his or her domicile as described in RSA 654:2.

(4) A person shall not be considered to have gained a domicile in any town or ward of this state into which he or she comes for temporary purposes only, without the intention of making it his or her home but with the intention of leaving it when he or she has accomplished the purpose that brought him or her there. Evidence that a person who, prior to arriving in New Hampshire, was domiciled in another state and is temporarily present in New Hampshire for any purpose including, but not limited to vacation, short-term temporary work, volunteering for social or civic purposes, or volunteering or working on political campaigns is not sufficient evidence that the person has established a domicile in New Hampshire.

(5) If a qualified voter moves to another state, with the intention of making it his or her permanent home, he or she shall be considered to have lost his or her domicile in this state.

(c) A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves.

28 New Paragraphs; Voter; Domicile. Amend RSA 654:1 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who establishes a voting domicile that otherwise meets the requirement of paragraph I, later than 30 days before any election where the inhabitant offers to vote shall vote at the polling place for the town or ward of his or her most recent previous domicile. Except that any person who transfers an existing New Hampshire voter registration and satisfies the requirements of this chapter for proving his or her new domicile may vote at the polling place for the town or ward of his or her new domicile.

I-c. Any person who met the requirements of this chapter to register to vote in New Hampshire who has established a voting domicile outside of New Hampshire within the 30 consecutive days before an election and is not allowed to register and vote in that election in the state of his or her new domicile because he or she established that new domicile within 30 consecutive days before that election may vote at the polling place for the New Hampshire town or ward where he or she was previously domiciled.

29 Voter Registration Form. Amend RSA 654:7, IV to read as follows:

IV.(a) [~~A~~] Standard registration application [~~form~~] ***forms*** shall be used throughout the state. The registration [~~form~~] ***forms*** shall be no larger than 8 1/2 inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations***, transfers, or updates*** other than those at the polling place on the date of a state general election, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

___ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM

(Please print or type)

1. Name _____

Last (suffix) First Full Middle Name

2. Domicile Address _____
Street Ward Number
_____
Town or City Zip Code
3. Mailing Address if different than in 2 _____
Street
_____
Town or City Zip Code
4. Place and Date of Birth _____
Town or City State
Date _____
5. Are you a citizen of the United States? Yes _____ No _____
If a naturalized citizen, give name of court where and date when naturalized _____
_____
6. Place last registered to vote _____
Street Ward Number
7. Name under which previously registered, if different from above
_____
8. Party Affiliation (if any) _____
9. Driver's License Number _____ State _____

If you do not have a valid driver's license, provide the last four digits of your social security number _____

My name is _____. I am today registering to vote in the city/town of _____, New Hampshire.

I understand that to vote in this [~~city/town~~] ***ward/town***, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [~~city/town~~] ***ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 30 consecutive days before the first election in which I intend to vote.***

I understand that if I have not been domiciled in New Hampshire for at least 30 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[~~In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.~~]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

_____ _____
Date Signature of Applicant

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

(c) The secretary of state shall prescribe the form of the voter registration form to be used only for voter registrations, ***transfers, or updates*** at the polling place on the date of a state general election, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire
___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire
___ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM
FOR USE AT THE POLLING PLACE ON THE DATE OF THE STATE GENERAL ELECTION
(Please print or type)

1. Name _____
Last (suffix) First Full Middle Name

2. Domicile Address _____
Street Ward Number

_____
Town or City Zip Code

3. Mailing Address if different than in 2 _____
Street

_____
Town or City Zip Code

4. Place and Date of Birth _____
Town or City State

Date_____

5. Are you a citizen of the United States? Yes _____ No _____

If a naturalized citizen, give name of court where and date when naturalized _____

_____

6. Place last registered to vote _____
Street Ward Number

7. Name under which previously registered, if different from above

_____

8. Party Affiliation (if any) _____

9. Driver's License Number _____ State _____

If you do not have a valid driver's license, provide the last four digits of your social security number _____

My name is _____. I am today registering to vote in the city/town of _____, New Hampshire.

I understand that to vote in this [~~city/town~~] ***ward/town***, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this [~~city/town~~] ***ward/town. Furthermore, I understand that I must have been domiciled in New Hampshire for no less than 30 consecutive days before the first election in which I intend to vote.***

I understand that if I have not been domiciled in New Hampshire for at least 30 consecutive days prior to an election but have completed this form, I have not met the registration requirements for said election but will be registered for the first election that I am eligible to vote in.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. A domicile is that place, to which upon temporary absence, a person has the intention of returning. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[~~In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.~~]

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date _____ Signature of Applicant _____

If this form is used in place of proof of identity, age, citizenship, or domicile, I hereby swear that such information is true and accurate to the best of my knowledge.

This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):

This form was executed for purposes of proving (applicant shall circle yes or no and initial each item):

Identity	yes/no	_____ (initials)
Citizenship	yes/no	_____ (initials)
Age	yes/no	_____ (initials)
Domicile	yes/no	_____ (initials)

Applicant _____ Election Official _____

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

30 Right to Know Exemption. Amend RSA 654:31-a to read as follows:

654:31-a Right to Know Exemption. The information contained on the checklist of a town or city, specifically, the name, domicile address, mailing address, town or city, and party affiliation, if any, of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-A. All other information on the voter registration form, absentee registration affidavit, qualified voter and domicile affidavits, affidavit of religious exemption, and application for absentee ballot shall be treated as confidential information and the records containing this information shall be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. ***However, otherwise confidential information on registration forms, absentee registration affidavits, qualified voter affidavits, challenged voter affidavits, domicile affidavits, affidavits of religious exemption, and applications for absentee ballot shall be made available to the legislature in an aggregated or statistical data format that conceals the identities of individual voters. Said aggregated or statistical data may be presented in public legislative hearings.*** Notwithstanding the foregoing, qualified voter and domicile affidavits are public records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or determining the accuracy of any qualified voter or domicile affidavit. Election officials and law enforcement personnel in furtherance of their official duties may access and may disclose information from the voter registration form, qualified voter and domicile affidavits, affidavits of religious exemption, absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute election law violations or any crime. Law enforcement access and use of such records for the investigation or prosecution of crimes unrelated to election law violations shall be limited to the records of the specific individuals who are the subject of the investigation or prosecution.

31 Effective Date.

I. Sections 1-19 and 23-24 of this act shall take effect as provided in section 25 of this act.

II. Sections 27-30 of this act shall take effect December 1, 2015.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill:

I. Makes appropriations for salary increases for state employees.

II. Establishes a legislative oversight committee on employee relations.

III. Amends the purpose of a capital budget appropriation made to the liquor commission.

IV. Reduces the rates of the business profits tax and the business enterprise tax.

V. Expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 30 days.

VI. Modifies the voter registration form.

VII. Allows otherwise confidential voter information to be made available to the legislature in an aggregated or statistical data format.

Rep. Itse spoke in favor.

Rep. Hinch spoke against and yielded to questions.

Rep. Hoell spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 94 - NAYS 264

YEAS - 94

BELKNAP

Aldrich, Glen	Fisher, Robert	Howard, Jr., Raymond	Hurt, George
LeBreche, Shari	Spanos, Peter	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	McConkey, Mark
Wright, Ted			

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Boehm, Ralph	Burt, John	Christiansen, Lars
Christie, Rick	Coffey, James	Eastman, Eric	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Goulette, William	Hansen, Peter
Hogan, Edith	Lachance, Joseph	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Parison, James
Rowe, Robert	Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa
Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bush, Carol	Cook, Allen
Dean-Bailey, Yvonne	Duarte, Joe	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Kolodziej, Walter	Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Sweeney, Joe	Tamburello, Daniel
True, Chris	Tucker, Pamela	Weyler, Kenneth	Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Cheney, Catherine
DeLemus, Susan
Groen, Warren
Hannon, Joseph
Kaczynski, Jr., Thomas
Knowles, Robert
Turcotte, Leonard
Whitehouse, Joshua

SULLIVAN

Bridge, Ernest

NAYS - 264

BELKNAP

Dumais, Russell
Fields, Dennis
Flanders, Donald
Fraser, Valerie
Gallagher, Brian
Luther, Robert
Russell, David
Tilton, Franklin

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Crawford, Karel
McCarthy, Frank
Nelson, Bill
Schmidt, Stephen
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Booras, Efstathia
Bouldin, Amanda
Byron, Frank
Christensen, Chris
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Sweeney, Shawn
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
French, Harold	Henle, Paul	Hess, David	Hirsch, Geoffrey
Karrick, David	Kenison, Linda	Kidder, David	Kotowski, Frank
Long, Douglas	Luneau, David	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walsh, Thomas	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Bates, David	Belanger, Ronald	Berrien, Skip	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis
Chirichiello, Brian	Christie, Andrew	Cushing, Robert	DeSimone, Debra
Devine, James	DiFranco, Debbie	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Katsakiores, Phyllis	Lovejoy, Patricia	Lundgren, David	Major, Norman
Manning, John	Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy
Milz, David	Moody, Marcia	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Sherman, Thomas
Sytek, John	Tilton, Rio	Vose, Michael	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cilley, Jacalyn	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Jones, Laura	Kaen, Naida
Leeman, Don	Mullen, John	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet
Ward, Kenneth	Wuelper, Kurt		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	

and floor amendment (2391h) failed.

The question now being adoption of the motion of Ought to Pass.
Rep. Hoell offered floor amendment (2392h).

Floor Amendment (2392h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, reducing the rates of the business profits tax and the business enterprise tax, and repealing the license requirement for carrying a concealed pistol or revolver.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 30:

27 Pistols and Revolvers; License to Carry. Amend RSA 159:6 to read as follows:

159:6 License to Carry.

I.(a) The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the

county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than [~~4~~] ***5*** years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, [~~and that the applicant is a suitable person to be licensed~~] ***unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm.*** Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued.

(b) The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for [~~4~~] ***5*** years. When required, license renewal shall take place within the month of the [~~fourth~~] ***fifth*** anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was made. The fee for licenses issued to residents of the state shall be $10, which fee shall be for the use of the town or city granting said licenses; the fee for licenses granted to out-of-state residents shall be $100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. ***The form shall require no more information than was required on the state of New Hampshire application for pistol/revolver license, form DSSP 85, as revised in December 2009.*** No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.

II. No photograph or fingerprint shall be required or used as a basis to grant, deny, or renew a license to carry for a resident or nonresident, unless requested by the applicant.

III. The availability of a license to carry a loaded pistol or revolver under this section or under any other provision of law shall not be construed to impose a prohibition on the unlicensed transport or carry of a firearm in a vehicle, or on or about one's person, whether openly or concealed, loaded or unloaded, by a resident, nonresident, or alien if that individual is not otherwise prohibited by statute from possessing a firearm in the state of New Hampshire.

28 Pistols and Revolvers; Reciprocity. RSA 159:6-d is repealed and reenacted to read as follows:

159:6-d Reciprocity. The director of the division of state police shall negotiate and enter into reciprocal agreements with other jurisdictions to recognize in those jurisdictions the validity of the license issued under RSA 159:6. The director shall apply to every jurisdiction with which New Hampshire does not have a reciprocity agreement, at least once every 5 years to obtain recognition in those jurisdictions of the license issued under RSA 159:6. Any such agreement executed shall not expire unless an expiration date is required under the statutes of the reciprocal jurisdiction.

29 Repeal. RSA 159:4, relative to requiring a license to carry a concealed pistol or revolver, is repealed.

AMENDED ANALYSIS

This bill:

I. Makes appropriations for salary increases for state employees.

II. Establishes a legislative oversight committee on employee relations.

III. Amends the purpose of a capital budget appropriation made to the liquor commission.

IV. Reduces the rates of the business profits tax and the business enterprise tax.

V. Increases the length of time for which a license to carry a pistol or revolver is valid.

VI. Allows a person to carry a loaded, concealed pistol or revolver without a license unless such person is otherwise prohibited by New Hampshire statute.

VII. Requires the director of the division of state police to negotiate and enter into agreements with other jurisdictions to recognize in those jurisdictions the validity of the license to carry issued in this state.

VIII. Repeals the requirement to obtain a license to carry a concealed pistol or revolver.

Reps. Hoell and Burt spoke in favor.

Rep. Chandler spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 96 - NAYS 265

YEAS - 96

BELKNAP

Aldrich, Glen	Comtois, Guy	Dumais, Russell	Fisher, Robert
Howard, Jr., Raymond	Hurt, George	LeBreche, Shari	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Comeau, Ed	Wright, Ted

CHESHIRE

Hunt, John	McConnell, Jim	Sterling, Franklin

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Biggie, Barbara	Boehm, Ralph	Burt, John
Christie, Rick	Coffey, James	Estevez, Eric	Ferreira, Elizabeth
Fromuth, Bart	Gould, Linda	Goulette, William	Hansen, Peter
Hogan, Edith	Lachance, Joseph	McLean, Mark	Moore, Josh
Murphy, Keith	Notter, Jeanine	Ohm, Bill	Parison, James
Sanborn, Laurie	Schleien, Eric	Scontsas, Lisa	Simmons, Tammy
Souza, Kathleen	Stepanek, Stephen	Sullivan, Victoria	Twombly, Timothy
Ulery, Jordan	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hill, Gregory	Hoell, J.R.
Horn, Werner	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Seaworth, Brian

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Cook, Allen	Dean-Bailey, Yvonne	Duarte, Joe	Green, Dennis
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Kellogg, Shem	Osborne, Jason	Prudhomme-O'Brien, Katherine	Rice, Frederick
Schroadter, Adam	Spillane, James	Tamburello, Daniel	True, Chris
Tucker, Pamela			

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Groen, Warren	Hannon, Joseph	Jones, Laura	Kaczynski, Jr., Thomas
Knowles, Robert	Turcotte, Leonard	Whitehouse, Joshua	

SULLIVAN

Bridge, Ernest

NAYS - 265

BELKNAP

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Luther, Robert	Russell, David	Spanos, Peter	Tilton, Franklin

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Pearson, William
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Tilton, Benjamin	Weber, Lucy

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Theberge, Robert	Tholl, John	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Rebecca	Cooney, Mary	Darrow, Stephen
Ford, Susan	Gionet, Edmond	Hennessey, Erin	Hennessey, Martha
Higgins, Patricia	Ladd, Rick	Maes, Kevin	Massimilla, Linda
Nordgren, Sharon	Shackett, Jeffrey	Smith, Suzanne	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Balcom, John	Baroody, Benjamin	Barry, Richard
Beaulieu, Jane	Belanger, James	Booras, Efstathia	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Cohen, Alan
Cornell, Patricia	Cote, David	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Eastman, Eric	Edwards, Elizabeth	Flanagan, Jack
Forest, Armand	Freitas, Mary	Gagne, Larry	Gargasz, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansberry, Daniel	Heath, Mary	Herbert, Christopher	Hinch, Richard
Infantine, William	Jack, Martin	Kurk, Neal	LeBrun, Donald
Leishman, Peter	Mangipudi, Latha	Manley, Jonathan	Marston, Dick
McCarthy, Peggy	McClarren, Donald	McNamara, Richard	Murotake, David
O'Brien, Michael	O'Neil, William	Ober, Russell	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire
Rowe, Robert	Seidel, Carl	Shattuck, Gilman	Shaw, Barbara
Smith, Gregory	Smith, Timothy	Snow, Kendall	Soucy, Timothy
Straight, Phillip	Sullivan, Daniel	Sweeney, Shawn	Vann, Ivy
Walsh, Robert	Wolf, Terry	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Frazer, June	French, Barbara
Henle, Paul	Hess, David	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Kidder, David	Kotowski, Frank	Luneau, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Harold (Chip)	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Belanger, Ronald	Berrien, Skip	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cushing, Robert	DeSimone, Debra	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
McKinney, Betsy	Milz, David	Moody, Marcia	O'Connor, John
Packard, Sherman	Pantelakos, Laura	Peckham, Michele	Potucek, John
Sherman, Thomas	Sytek, John	Tilton, Rio	Ward, Gerald
Ward, Joanne	Webb, James	Welch, David	Weyler, Kenneth
Woitkun, Steven	Wood, David		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	DiSesa, Len	Gardner, Janice	Horrigan, Timothy
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

and floor amendment (2392h) failed.
Rep. Eastman voted Nay and intended to vote Yea.

The question now being adoption of the motion of Ought to Pass.
Rep. Dan McGuire offered floor amendment (2393h).

Floor Amendment (2393h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to certain capital budget appropriations, and reducing the rates of the business profits tax and the business enterprise tax.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 28:

27 2015 Capital Budget; Merrimack County Superior Court; Location. Amend 2015, 220:1, II, D to read as follows:

D. Court Facilities

1. Merrimack County Superior Court - New Courthouse [*]	16,600,000
2. Hampton Circuit Court, Architectural/ Engineering	300,000
3. Milford Circuit Court, Architectural/Engineering	255,500

[~~* The location for the siting of the Merrimack county superior court facility shall be in Concord on state lands adjacent to the supreme court.~~]

AMENDED ANALYSIS

This bill:
I. Makes appropriations for salary increases for state employees.
II. Establishes a legislative oversight committee on employee relations.
III. Amends the purpose of a capital budget appropriation made to the liquor commission.
IV. Reduces the rates of the business profits tax and the business enterprise tax.

V. Eliminates the capital budget requirement that the Merrimack County Superior Court be sited in Concord.

Rep. Dan McGuire spoke in favor and yielded to questions.

Rep. Chandler spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 65 - NAYS 289

YEAS - 65

BELKNAP

Aldrich, Glen	Comtois, Guy	Howard, Jr., Raymond	LeBreche, Shari

CARROLL

Cordelli, Glenn	Ticehurst, Susan		

CHESHIRE

McConnell, Jim			

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Burt, John	Coffey, James	Eastman, Eric
Estevez, Eric	Ferreira, Elizabeth	Hogan, Edith	Infantine, William
Marston, Dick	McLean, Mark	Moore, Josh	Murphy, Keith
Notter, Jeanine	Ohm, Bill	Parison, James	Sanborn, Laurie
Schleien, Eric	Scontsas, Lisa	Simmons, Tammy	Stepanek, Stephen
Sullivan, Victoria	Twombly, Timothy	Ulery, Jordan	

MERRIMACK

Bradley, Paula	Brewster, Michael	Hill, Gregory	Hoell, J.R.
Horn, Werner	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Seaworth, Brian		

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Duarte, Joe	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Osborne, Jason	Rice, Frederick	Schroadter, Adam	Spillane, James
Tamburello, Daniel	True, Chris	Tucker, Pamela	

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Kaczynski, Jr., Thomas
Knowles, Robert	Turcotte, Leonard		

NAYS - 289

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Hurt, George	Luther, Robert	Russell, David
Spanos, Peter	Tilton, Franklin	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Comeau, Ed	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Schmidt, Stephen	Umberger, Karen		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John

Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Rappaport, Laurence
Richardson, Herbert
Rideout, Leon
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Christie, Rick
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Fromuth, Bart
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Goulette, William
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Heath, Mary
Herbert, Christopher
Hinch, Richard
Jack, Martin
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Sweeney, Shawn
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Carson, Clyde
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Kuch, Bill
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
DiFranco, Debbie
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William

Gannon, William	Gordon, Richard	Green, Dennis	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Heffron, Frank
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Katsakiores, Phyllis
Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David	Major, Norman
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	Milz, David
Moody, Marcia	Nigrello, Robert	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Sherman, Thomas	Sweeney, Joe	Sytek, John	Tilton, Rio
Vose, Michael	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len
Gardner, Janice	Gray, James	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaen, Naida	Leeman, Don	Mullen, John
Pitre, Joseph	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Wall, Janet	Ward, Kenneth	Wuelper, Kurt

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

and floor amendment (2393h) failed.

The question now being adoption of the motion of Ought to Pass.
Rep. Dan McGuire offered floor amendment (2394h).

Floor Amendment (2394h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, reducing the rates of the business profits tax and the business enterprise tax, and relative to the sale or exchange of an interest in a business organization under the business profits tax.

Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 28:

27 Sale or Exchange of an Interest in a Business Organization. RSA 77-A:4, XIV is repealed and reenacted to read as follows:

XIV.(a) In the case of a business organization where an interest or beneficial interest in the business organization has been sold or exchanged, an addition to gross business profits of an amount equal to the net increase in the basis of all underlying assets transferred or sold through the sale or exchange of the interest. The increase in the basis of the assets shall be calculated in accordance with the provisions of the Internal Revenue Code as defined by RSA 77-A:1, XX but shall apply to the business organization.

(b) A business organization may, for a particular sale or exchange, make an irrevocable election on a timely filed return, to not recognize the basis increase required under subparagraph (a). A business organization that so elects shall not be required to make an addition to gross business profits under subparagraph (a). It also shall not be allowed a deduction against gross business profits in any subsequent period for depreciation or amortization on the increased basis in the assets nor an increase in the basis of the assets upon disposition of the assets in a subsequent period.

AMENDED ANALYSIS

This bill:

I. Makes appropriations for salary increases for state employees.

II. Establishes a legislative oversight committee on employee relations.

III. Amends the purpose of a capital budget appropriation made to the liquor commission.

IV. Reduces the rates of the business profits tax and the business enterprise tax.

V. Limits the inclusion in the business profits tax of the net increase due to certain sales or exchanges of an interest or beneficial interest in a business organization.
Rep. Hinch spoke against.
Rep. Dan McGuire spoke in favor and requested a roll call; sufficiently seconded.

YEAS 93 - NAYS 263

YEAS - 93

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed	Cordelli, Glenn	Wright, Ted

CHESHIRE

McConnell, Jim	Roberts, Kris

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Balcom, John	Biggie, Barbara	Burt, John
Christie, Rick	Coffey, James	Eastman, Eric	Estevez, Eric
Ferreira, Elizabeth	Fromuth, Bart	Gould, Linda	Goulette, William
Hansen, Peter	Hogan, Edith	Marston, Dick	McClarren, Donald
McLean, Mark	Moore, Josh	Murphy, Keith	Notter, Jeanine
Ohm, Bill	Parison, James	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Simmons, Tammy	Stepanek, Stephen	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan		

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Long, Douglas	Marple, Richard	Martin, John
McGuire, Carol	McGuire, Dan	Seaworth, Brian	

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Dean-Bailey, Yvonne	Duarte, Joe	Green, Dennis	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence	Kellogg, Shem
Kolodziej, Walter	Lundgren, David	Osborne, Jason	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Spillane, James	Sweeney, Joe
Tamburello, Daniel	True, Chris	Tucker, Pamela	Vose, Michael

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Hannon, Joseph
Kaczynski, Jr., Thomas	Knowles, Robert	Turcotte, Leonard	Whitehouse, Joshua

SULLIVAN

Bridge, Ernest

NAYS - 263

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin			

CARROLL

Buco, Thomas
Butler, Edward
Chandler, Gene
Crawford, Karel
McCarthy, Frank
McConkey, Mark
Parker, Harold
Schmidt, Stephen
Ticehurst, Susan
Umberger, Karen

CHESHIRE

Abbott, Michael
Ames, Richard
Berch, Paul
Bordenet, John
Chase, Cynthia
Eaton, Daniel
Emerson, Susan
Hunt, John
Johnsen, Gladys
Ley, Douglas
Mann, John
Parkhurst, Henry
Pearson, William
Phillips, Larry
Robertson, Timothy
Shepardson, Marjorie
Sterling, Franklin
Tatro, Bruce
Tilton, Benjamin
Weber, Lucy

COOS

Froburg, Alethea
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Tholl, John
Thomas, Yvonne

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Cooney, Mary
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Boehm, Ralph
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Griffin, Barbara
Guerette, C. Lee
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Heath, Mary
Herbert, Christopher
Hinch, Richard
Infantine, William
Jack, Martin
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Palmer, Barry
Pellegrino, Anthony
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Seidel, Carl
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Sweeney, Shawn
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
French, Harold
Henle, Paul
Hess, David
Hirsch, Geoffrey
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian

Christie, Andrew	Cushing, Robert	DeSimone, Debra	Devine, James
DiFranco, Debbie	Doucette, Fred	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Friel, William
Gannon, William	Gordon, Richard	Griffin, Mary	Guthrie, Joseph
Hagan, Joseph	Heffron, Frank	Hoelzel, Kathleen	Introne, Robert
Katsakiores, Phyllis	Lovejoy, Patricia	Major, Norman	Manning, John
Matthews, Carolyn	McBeath, Rebecca	McKinney, Betsy	Milz, David
Moody, Marcia	Nigrello, Robert	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Sherman, Thomas
Sytek, John	Tilton, Rio	Ward, Gerald	Ward, Joanne
Webb, James	Welch, David	Weyler, Kenneth	Woitkun, Steven
Wood, David			

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	DiSesa, Len	Gardner, Janice	Gray, James
Horrigan, Timothy	Jones, Laura	Kaen, Naida	Leeman, Don
Mullen, John	Pitre, Joseph	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Southworth, Thomas	Spang, Judith	Sprague, Dale
Stevens, Audrey	Treleaven, Susan	Wall, Janet	Ward, Kenneth
Wuelper, Kurt			

SULLIVAN

Cloutier, John	Converse, Larry	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew	Oxenham, Lee
Rollins, Skip	Schmidt, Andrew	Smith, Steven	

and floor amendment (2394h) failed.

The question now being adoption of the motion of Ought to Pass.
Rep. Hoell spoke against.
Rep. Hinch spoke in favor and yielded to questions.
Rep. Rosenwald spoke in favor and requested a roll call; sufficiently seconded.

YEAS 291 - NAYS 73

YEAS - 291

BELKNAP

Dumais, Russell	Fields, Dennis	Flanders, Donald	Fraser, Valerie
Gallagher, Brian	Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Tilton, Benjamin
Weber, Lucy			

COOS

Froburg, Alethea	Hatch, William	Moynihan, Wayne	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	

GRAFTON

Abel, Richard
Almy, Susan
Bailey, Brad
Bennett, Travis
Brown, Chris
Brown, Rebecca
Darrow, Stephen
Ford, Susan
Gionet, Edmond
Hennessey, Erin
Hennessey, Martha
Higgins, Patricia
Ladd, Rick
Maes, Kevin
Massimilla, Linda
Nordgren, Sharon
Shackett, Jeffrey
Smith, Suzanne
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Balcom, John
Baroody, Benjamin
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Brown, Pamela
Byron, Frank
Christensen, Chris
Christiansen, Lars
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
DiSilvestro, Linda
Donovan, Daniel
Eastman, Eric
Edelblut, Frank
Edwards, Elizabeth
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gonzalez, Carlos
Gorman, Mary
Gould, Linda
Griffin, Barbara
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hopper, Gary
Infantine, William
Jack, Martin
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Murotake, David
O'Brien, Michael
O'Neil, William
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Sweeney, Shawn
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
French, Harold
Henle, Paul
Hess, David
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kidder, David
Kotowski, Frank
Long, Douglas
Luneau, David
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Belanger, Ronald
Berrien, Skip
Borden, David
Cahill, Michael
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Lundgren, David
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Schroadter, Adam

Sherman, Thomas	Sweeney, Joe	Sytek, John	Tilton, Rio
Ward, Gerald	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven	Wood, David	

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	DiSesa, Len	Gardner, Janice
Gray, James	Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas
Kaen, Naida	Leeman, Don	Mullen, John	Pitre, Joseph
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Southworth, Thomas
Spang, Judith	Sprague, Dale	Stevens, Audrey	Treleaven, Susan
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Smith, Steven	

NAYS - 73

BELKNAP

Aldrich, Glen	Comtois, Guy	Fisher, Robert	Howard, Jr., Raymond
Hurt, George	LeBreche, Shari	Vadney, Herbert	Varney, Peter

CARROLL

Avellani, Lino	Comeau, Ed

CHESHIRE

McConnell, Jim

COOS

Rappaport, Laurence	Thomas, Yvonne

GRAFTON

Brown, Duane	Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Ammon, Keith	Burt, John	Christie, Rick	Coffey, James
Estevez, Eric	Ferreira, Elizabeth	Fromuth, Bart	Goulette, William
Guerette, C. Lee	Hogan, Edith	Marston, Dick	McLean, Mark
Moore, Josh	Murphy, Keith	Notter, Jeanine	Schleien, Eric
Scontsas, Lisa	Simmons, Tammy	Stepanek, Stephen	

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Kuch, Bill
Marple, Richard	Martin, John	McGuire, Carol	McGuire, Dan
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Bates, David	Bush, Carol
Duarte, Joe	Green, Dennis	Harris, Jeffrey	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	Osborne, Jason	Prudhomme-O'Brien, Katherine
Rice, Frederick	Spillane, James	Tamburello, Daniel	True, Chris
Tucker, Pamela	Vose, Michael		

STRAFFORD

Beaudoin, Steven	Cilley, Jacalyn	DeLemus, Susan	Groen, Warren
Hannon, Joseph	Knowles, Robert	Turcotte, Leonard	Whitehouse, Joshua
Wuelper, Kurt			

SULLIVAN

Bridge, Ernest
and the motion was adopted and ordered to third reading.
Rep. Kaczynski voted Yea and intended to vote Nay.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hinch moved that the House reconsider its action whereby, on a roll call vote of 291-73, the House adopted the motion of Ought to Pass on **SB 9-FN-A-L,** relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, and reducing the rates of the business profits tax and the business enterprise tax.
Rep. Hinch spoke against.
Motion failed.

The following protests were presented to be entered in the Permanent Journal:

PROTEST

I protest the vote on SB 9 since it violates Article 18 of the NH Constitution.
Rep. Keith Ammon

PROTEST

Pursuant to the Constitution of the State of New Hampshire Part 2, Article 24, I lodge my protest to the passage of SB 9 on the ground that I find it repugnant to the Constitution of the State of New Hampshire Part 2, Article 18.
Rep. David Bates

PROTEST

Pursuant to the Constitution of the State of New Hampshire Part 2, Article 24, I lodge my protest to the passage of SB 9 on the ground that I find it inconsistent with the Constitution of the State of New Hampshire Part 2, Article 18.
Sincerely, Rep. Eric R. Eastman

PROTEST

Pursuant to Part 2, Article 24, I lodge my protest to the passage of SB 9 on the grounds that I find SB 9 to be repugnant to Part 2, Articles 18 and 18-a of the Constitution of the State of New Hampshire.
Rep. Edith Hogan

PROTEST

Part 2, Article 24
Protest to "SB 9"

Whereas SB 9 changes the rate of the business enterprise tax and the business profits tax, and
Whereas Part 2, Article 18 of the Constitution of New Hampshire states all money bills must originate in the House of Representatives, and
Whereas the New Hampshire Supreme Court has opined in Baines v. New Hampshire Senate President that Senate Bills amended by the House to be money Bills are acceptable under Part 2, Article 28; and
Whereas the New Hampshire Supreme Court has opined at the request of the House of Representatives that Article 18, Part 2 applies Bills that raise revenue by direct taxation; and
Whereas the Constitution of the State of New Hampshire Part 2, Article 18-a prohibits Bills which both appropriate money and make other statutory changes, and
Whereas SB 9 both appropriates money and creates a statutory oversight committee;
Therefore, pursuant to Part 2, Article 24 I lodge my protest that in my opinion SB 9 is repugnant to the Constitution of the State of New Hampshire.
Rep. Daniel D. Itse

PROTEST

I protest the vote on SB 9 since it violates Article 18 of the Constitution.
Rep. Carol McGuire

PROTEST

I hereby protest the House vote on suspending the rules to allow votes on SB 9 on the basis that it is unconstitutional for a money bill to be initiated in the Senate, and because SB 9 was not introduced in sufficient time for proper review by the House, or by the public.
Rep. Frederick C. Rice

PROTEST

Pursuant to the Constitution of the State of New Hampshire Part 2, Article 24, I lodge my protest to the passage of SB 9 on the ground that I find it repugnant to the Constitution of the State of New Hampshire Part 2, Articles 18 and 18-a.
Reps. Baldasaro, Brewster, Burt, Rick Christie, Comtois, DeLemus, Green, Groen, Hill, Hoell, Howard, Ingbretson, Marple, Moore, Prudhomme-O'Brien, Scontsas, Seaworth, Spillane, Stepanek, Tamburello, True, Leonard Turcotte, Whitehouse and Wuelper.

IMMEDIATE THIRD READING

Rep. Flanagan offered the following: RESOLVED, that **SB 9-FN-A-L**, be read by title only and that it be read a third time by this resolution, and that its title be the same as adopted, and that it be passed at the present time.
Motion adopted.

Third Reading and Final Passage

SB 9-FN-A-L, relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, and reducing the rates of the business profits tax and the business enterprise tax.

SENATE MESSAGE

The Senate has voted to sustain the Governor's veto on the following Bills:
SB 101, prohibiting the state from requiring implementation of common core standards.
SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver.
SB 169, relative to permissible uses of electronic benefit transfer (EBT) cards.
SB 179, relative to eligibility to vote and relative to availability of voter information.

GOVERNOR'S VETO MESSAGE ON HB 603

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 12, 2015, I have vetoed House Bill 603, relative to student exemption from the statewide assessment. House Bill 603 would create a student opt-out option from the statewide assessment process. This bill would conflict with current state educational accountability laws, undercut one of the tools that educators use to evaluate K-12 student progress, and jeopardize federal funding for New Hampshire schools. If it became law, House Bill 603 could do real and lasting damage to New Hampshire's economic competitiveness, suggesting that our state is not committed to ensuring that students are ready for college and/or careers in the 21st century's innovation economy. That is why the business leaders and educators joined together to oppose this legislation. By state law – and as a result of Supreme Court decisions requiring a statewide education accountability system – New Hampshire schools are required to participate in the Statewide Educational Improvement and Assessment Program. If passed, House Bill 603 would discourage participation in the annual statewide assessment, violating the requirements of both federal and state law, as well as the requirements of the New Hampshire Supreme Court that New Hampshire have a broad assessment and accountability system. A valid annual assessment is a critical component of accountability, which is why state statutes say that all students must take the statewide assessment. This year, New Hampshire started a new annual assessment, the Smarter Balanced Assessment, an improved test that helps inform educators about whether students are meeting higher standards and helps direct any resulting changes to instruction. These tests provide the only statewide snapshot as to how our public schools are performing, serving as an additional measure to inform us about how well students are being educated. But it also important to note that the State is not over-relying on these tests as they are not a significant factor in teacher evaluation, they are not used to determine school funding and they are not required for a student to graduate. New Hampshire also recognizes that standardized assessments alone do not provide the most

well-rounded, individual student-driven results that effectively inform teacher instruction. That is why New Hampshire continues to build on our efforts that are leading the nation in developing assessment alternatives through the Performance Assessment of Competency Education (PACE) Pilot Program. PACE empowers our students and our teachers by reducing the amount of standardized testing in favor of more locally managed assessments that will be integrated into a student's day-to-day work, which improves the effectiveness of project-based 21st century learning. Allowing this bill to become law also poses significant fiscal risk by threatening threatens tens of millions of dollars a year in federal funding to our schools. The federal government requires 95 percent of students to participate in a statewide assessment to receive Title I funding. Action in some New Hampshire school districts that provided an unofficial opt-out option this year led to decreased student participation – demonstrating that any state action to encourage opt-out would have the same, if not greater implications. House Bill 603 does not provide reporting of opt-outs to the Department of Education, so we would be unable to accurately determine how many students did not take the test and whether the State met the 95-percent student participation threshold. House Bill 603 sets a bad precedent for, and sends a bad message to, our students. Students who are told that they can opt out of this critical component to their education will believe that they can opt out of other of requirements as well, which could in turn affect participation in day-to-day activities and interfere with both student assessment and direct instruction. New Hampshire's economic competitiveness depends on our ongoing commitment to ensuring that our students and workers have the skills needed to compete in the future. If passed, this bill would inhibit the ability to effectively measure student progress and inform teacher instruction, while sending a message to the business and education communities that New Hampshire does not value high standards in education, standards that will help prepare our future workforce for success in the innovation economy. Therefore, I have vetoed House Bill 603."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 603,** relative to student exemption from the statewide assessment, become law?
Reps. Abramson and Boehm spoke in favor.
Rep. Myler spoke against.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 211 - NAYS 141

YEAS - 211

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Fisher, Robert
Flanders, Donald	Fraser, Valerie	Gallagher, Brian	Hurt, George
LeBreche, Shari	Luther, Robert	Russell, David	Spanos, Peter
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Parker, Harold
Schmidt, Stephen	Umberger, Karen	Wright, Ted	

CHESHIRE

Emerson, Susan	Hunt, John	McConnell, Jim	Roberts, Kris
Sterling, Franklin	Tilton, Benjamin		

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John

GRAFTON

Brown, Duane	Darrow, Stephen	Gionet, Edmond	Hennessey, Erin
Hull, Robert	Ingbretson, Paul	Johnson, Eric	Ladd, Rick

HILLSBOROUGH

Ammon, Keith	Balcom, John	Baroody, Benjamin	Barry, Richard
Belanger, James	Biggie, Barbara	Boehm, Ralph	Burt, John
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Coffey, James	Cohen, Alan	Danielson, David	DiSilvestro, Linda
Donovan, Daniel	Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth
Estevez, Eric	Ferreira, Elizabeth	Flanagan, Jack	Fromuth, Bart
Gagne, Larry	Gargasz, Carolyn	Gonzalez, Carlos	Gould, Linda
Goulette, William	Griffin, Barbara	Haefner, Robert	Halstead, Carolyn
Hansen, Peter	Hinch, Richard	Hogan, Edith	Hopper, Gary
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Marston, Dick
McCarthy, Peggy	McClarren, Donald	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Proulx, Mark	Rice, Kimberly
Rouillard, Claire	Rowe, Robert	Sanborn, Laurie	Schleien, Eric
Scontsas, Lisa	Seidel, Carl	Simmons, Tammy	Smith, Gregory
Souza, Kathleen	Stepanek, Stephen	Straight, Phillip	Sullivan, Victoria
Sweeney, Shawn	Twombly, Timothy	Ulery, Jordan	Wolf, Terry
Zaricki, Nick			

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kotowski, Frank	Kuch, Bill	Long, Douglas	Marple, Richard
Martin, John	McGuire, Carol	McGuire, Dan	Patten, Dick
Seaworth, Brian	Walsh, Thomas		

ROCKINGHAM

Abrami, Patrick	Abramson, Max	Allen, Mary	Azarian, Gary
Baldasaro, Alfred	Barnes, Arthur	Bates, David	Belanger, Ronald
Bush, Carol	Cardon, G. Thomas	Chase, Francis	Chirichiello, Brian
Christie, Andrew	Cook, Allen	Dean-Bailey, Yvonne	DeSimone, Debra
Devine, James	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Friel, William
Gannon, William	Gordon, Richard	Green, Dennis	Griffin, Mary
Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kellogg, Shem	Kolodziej, Walter	Major, Norman
Matthews, Carolyn	McKinney, Betsy	Milz, David	Nigrello, Robert
O'Connor, John	Osborne, Jason	Packard, Sherman	Potucek, John
Prudhomme-O'Brien, Katherine	Rice, Frederick	Schroadter, Adam	Spillane, James
Sweeney, Joe	Sytek, John	Tilton, Rio	Tucker, Pamela
Vose, Michael	Ward, Joanne	Webb, James	Welch, David
Weyler, Kenneth	Woitkun, Steven		

STRAFFORD

Beaudoin, Steven	Bickford, David	Cheney, Catherine	DeLemus, Susan
Gray, James	Groen, Warren	Hannon, Joseph	Jones, Laura
Kaczynski, Jr., Thomas	Knowles, Robert	Leeman, Don	Pitre, Joseph
Turcotte, Leonard	Wuelper, Kurt		

SULLIVAN

Bridge, Ernest	Laware, Thomas	Rollins, Skip	Smith, Steven

NAYS - 141

BELKNAP

Comtois, Guy

CARROLL

Buco, Thomas | Butler, Edward | Ticehurst, Susan

CHESHIRE

Abbott, Michael | Ames, Richard | Berch, Paul | Chase, Cynthia
Eaton, Daniel | Johnsen, Gladys | Ley, Douglas | Mann, John
Parkhurst, Henry | Pearson, William | Phillips, Larry | Robertson, Timothy
Sad, Tara | Shepardson, Marjorie | Tatro, Bruce | Weber, Lucy

COOS

Froburg, Alethea | Hatch, William | Moynihan, Wayne | Theberge, Robert
Thomas, Yvonne

GRAFTON

Abel, Richard | Almy, Susan | Bailey, Brad | Bennett, Travis
Brown, Chris | Brown, Rebecca | Cooney, Mary | Ford, Susan
Hennessey, Martha | Higgins, Patricia | Maes, Kevin | Massimilla, Linda
Nordgren, Sharon | Smith, Suzanne | Townsend, Charles | White, Andrew

HILLSBOROUGH

Backus, Robert | Beaulieu, Jane | Brown, Pamela | Cornell, Patricia
Cote, David | Forest, Armand | Freitas, Mary | Gidge, Kenneth
Goley, Jeffrey | Gorman, Mary | Guerette, C. Lee | Heath, Mary
Herbert, Christopher | Jack, Martin | Leishman, Peter | Long, Patrick
Mangipudi, Latha | Manley, Jonathan | McNamara, Richard | O'Brien, Michael
Porter, Marjorie | Roberts, Carol | Rosenwald, Cindy | Shattuck, Gilman
Shaw, Barbara | Smith, Timothy | Snow, Kendall | Soucy, Timothy
Sullivan, Daniel | Vann, Ivy | Walsh, Robert | Woodbury, David

MERRIMACK

Alicea, Caroletta | Bartlett, Christy | Bradley, Paula | Carson, Clyde
Deloge, Helen | Doherty, David | Frazer, June | French, Barbara
Henle, Paul | Hirsch, Geoffrey | Karrick, David | Kenison, Linda
Luneau, David | MacKay, James | Moffett, Howard | Myler, Mel
Ratzki, Mario | Rice, Harold (Chip) | Rogers, Katherine | Saunderson, George
Schuett, Dianne | Shurtleff, Stephen | Turcotte, Alan | Wallner, Mary Jane
Wheeler, Deborah

ROCKINGHAM

Berrien, Skip | Borden, David | Cahill, Michael | Cali-Pitts, Jacqueline
Cushing, Robert | DiFranco, Debbie | Francese, Paula | Heffron, Frank
Lovejoy, Patricia | McBeath, Rebecca | Moody, Marcia | Pantelakos, Laura
Sherman, Thomas | Ward, Gerald | Wood, David

STRAFFORD

Baber, William | Berube, Roger | Bixby, Peter | Cilley, Jacalyn
DiSesa, Len | Gardner, Janice | Horrigan, Timothy | Kaen, Naida
Mullen, John | Rollo, Deanna | Schmidt, Peter | Smith, Marjorie
Southworth, Thomas | Spang, Judith | Sprague, Dale | Stevens, Audrey
Treleaven, Susan | Wall, Janet | Ward, Kenneth

SULLIVAN

Cloutier, John | Converse, Larry | Gagnon, Raymond | Gottling, Suzanne
Grenier, James | Irwin, Virginia | O'Hearne, Andrew | Oxenham, Lee
Schmidt, Andrew

and the veto was sustained.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 9.

Rep. Hinch, Sen. Prescott for the Committee

UNANIMOUS CONSENT

Rep. Theberge requested Unanimous Consent of the House regarding 2015 POW/MIA Recognition Day and addressed the House.

Rep. Itse requested Unanimous Consent of the House regarding the New Hampshire Constitution.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Theberge be printed in the Permanent Journal. Motion adopted.

REMARKS

Rep. Theberge: Thank you, Mister Speaker. Thank you, colleagues. The 2015 National Prisoner of War and Missing in Action Recognition Day is Friday, September 18. During this week, throughout our great country and worldwide, ceremonies will be held to honor and remember our missing and unaccounted for Americans. Support for these missing Americans and their families is deeply felt. America's POW's and MIA's should be honored and recognized rather than memorialized with the focus on continuing commitment to account as fully as possible for those still missing. For a society such as ours which demands liberty as much as we do, we must not allow the sacrifices of these Patriots to pass from our Nation's consciousness. America owes these brave men and women our eternal gratitude. We are all indebted to their families. They stood by with courage as those they love proudly answered Americas call to defend the freedom we enjoy today. Many of these families have suffered decades of pain not knowing with certainty the final fate of their loved ones. We recognize their sacrifices. We owe a debt of gratitude to the families for their dedication in seeking the truth and their determination through many years of waiting. Our nation has been granted liberty for more than 200 years thanks to the sacrifices of countless men and women. Despite the broken buildings and shattered lives of September 11th, fourteen years ago, the American spirit did not waiver. We are different today; sadder, but stronger; less innocent and more courageous; more appreciative of life for those who have served our country; more willing to risk our life for a greater cause. For those who have lost family and friends, the pain will never go away and neither will the responsibilities of 9/11 which was thrust upon us all. The fight against terrorism has been ongoing for several years and will require a long sustained resolve. It will require the support of our nation, the efforts and sacrifice of all of our people and the unwavering commitment to liberty and freedom that has sustained our focus for generations. Freedom is not free. Freedom comes with a price. Today we remember the POW's and MIA's who fought to protect our freedom and lost theirs. At the same time, we pray for those engaged in today's struggle to protect our freedom for future generations. God bless their bravery. God bless America. Thank you.

MOTION TO PRINT REMARKS

Rep. Hoell moved that the remarks made by Rep. Itse be printed in the Permanent Journal. Motion failed.

GOVERNOR'S VETO MESSAGE ON HB 1 AND HB 2

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 25, 2015, I have vetoed House Bills 1 and 2, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. To keep our economy moving in the right direction, I originally proposed a fiscally responsible, balanced budget that was transparent and honest about how we would support critical economic priorities without an income or a sales tax. The plan that I proposed clearly set those economic priorities, including holding down the cost of higher education, strengthening public safety, ensuring access to affordable health care, and repairing our roads and bridges. I have vetoed the budget passed by the legislature because it is unbalanced, makes false promises about what it funds, and gives unpaid-for tax giveaways to big corporations, many based out-of-state, at the expense of critical economic priorities, including higher education, health care, public safety and transportation. The long-term impact of these unpaid-for corporate tax cuts will create a more than $90 million hole in future budgets, further eroding our ability to encourage economic growth. This budget is unbalanced. The legislature double-counted carryforward

funds, attempting to take money that has been designated and appropriated to pay for 2015 bills, and instead proposed to use it to balance its 2016 budget. This gimmick would have forced cuts to this budget within months of enactment, eliminating the increased funding that many people thought they were being promised in this budget. Compounding the danger to our state's future, the legislature used more than $65 million in 'one-time' sources of revenue in this budget. When combined with the impact of the unpaid-for corporate tax cut, the gap that would need to be filled in the very next budget would exceed $100 million. This gap would force the next legislature to make even deeper cuts to a budget that is already under-funded in critical areas. For example, the budget that I have vetoed would not provide any year-to-year increase to our university system – which is still funded below 2010 levels and receives among the least amount of state support in the nation – jeopardizing our efforts to hold down the cost of higher education to help keep more of our young people here in New Hampshire for college and their careers. In the face of an opioid crisis, it would not adequately fund substance abuse prevention, cutting my proposal for the Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery by more than 30 percent. This budget would force the Sununu Youth Services Center to cut a quarter of its budget without a plan for how to achieve those savings while seriously undermining its ability to help youthful offenders put their lives back on track. It neglected to include a modest cost-of-living increase for employees, even though the state reached a good-faith negotiated agreement prior to our budget proposal. In funding the Department of Transportation, the legislature would divert funds that were intended to provide additional road and bridge repairs, and it underfunded snow plowing and removal by nearly $5 million. And this budget would not ensure the continuation and funding for our successful and bipartisan New Hampshire Health Protection Program, jeopardizing health insurance coverage for more than 41,000 New Hampshire citizens and creating uncertainty for our businesses, our health insurance market and our economy. It would also jeopardize access to substance abuse and mental health treatment that is provided under our bipartisan expansion plan and is making a real difference to the health and safety of our citizens and our communities. I have made clear to legislative leaders that I am not philosophically opposed to reducing corporate tax rates and that I am willing to work together, compromise and negotiate to reach a better, more responsible and balanced budget. I have put forward concrete ideas that would reduce business tax rates while ensuring that those cuts are paid for in order to protect our state's long-term finances and economic future. I did not come to the decision to veto this budget lightly. I would prefer to work together to find a compromise path forward, and I remain committed to such efforts. My responsibility as Governor is to consider both the short- and long-term impacts of legislation and stand up for today's citizens of New Hampshire, as well as for the future. I will not trade New Hampshire's economic future for an inadequate, unbalanced budget today. Therefore, I have vetoed HB 1 and HB 2."

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1-A,** making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017, become law?

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 321 - NAYS 25

YEAS - 321

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Hurt, George	Luther, Robert
Russell, David	Spanos, Peter	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	McConnell, Jim	Parkhurst, Henry
Pearson, William	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Johnson, Eric
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Boehm, Ralph	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Goley, Jeffrey	Gonzalez, Carlos
Gorman, Mary	Gould, Linda	Griffin, Barbara	Guerette, C. Lee
Haefner, Robert	Halstead, Carolyn	Hansen, Peter	Heath, Mary
Herbert, Christopher	Hinch, Richard	Infantine, William	Jack, Martin
Kurk, Neal	Lachance, Joseph	LeBrun, Donald	Leishman, Peter
Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy	McClarren, Donald
McNamara, Richard	Moore, Josh	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, Michael	Ober, Lynne	Ober, Russell
Ohm, Bill	Palmer, Barry	Parison, James	Pellegrino, Anthony
Peterson, Ken	Pierce, David	Porter, Marjorie	Proulx, Mark
Rice, Kimberly	Roberts, Carol	Rosenwald, Cindy	Rouillard, Claire
Rowe, Robert	Sanborn, Laurie	Scontsas, Lisa	Seidel, Carl
Shattuck, Gilman	Shaw, Barbara	Simmons, Tammy	Smith, Gregory
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Souza, Kathleen
Stepanek, Stephen	Straight, Phillip	Sullivan, Daniel	Sullivan, Victoria
Twombly, Timothy	Ulery, Jordan	Vann, Ivy	Walsh, Robert
Wolf, Terry	Woodbury, David	Zaricki, Nick	

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Brewster, Michael
Carson, Clyde	Deloge, Helen	Doherty, David	Frazer, June
French, Barbara	French, Harold	Henle, Paul	Hess, David
Hill, Gregory	Hirsch, Geoffrey	Horn, Werner	Karrick, David
Kenison, Linda	Kotowski, Frank	Kuch, Bill	Luneau, David
MacKay, James	Marple, Richard	Martin, John	McGuire, Carol
McGuire, Dan	Moffett, Howard	Myler, Mel	Rice, Harold (Chip)
Rogers, Katherine	Saunderson, George	Schuett, Dianne	Seaworth, Brian
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Azarian, Gary	Barnes, Arthur
Bates, David	Belanger, Ronald	Berrien, Skip	Borden, David
Bush, Carol	Cahill, Michael	Cali-Pitts, Jacqueline	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra	Devine, James
DiFranco, Debbie	Doucette, Fred	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Francese, Paula
Friel, William	Gannon, William	Gordon, Richard	Green, Dennis
Griffin, Mary	Guthrie, Joseph	Hagan, Joseph	Harris, Jeffrey
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Katsakiores, Phyllis	Lovejoy, Patricia
Major, Norman	Matthews, Carolyn	McBeath, Rebecca	Milz, David
Moody, Marcia	Nigrello, Robert	O'Connor, John	Packard, Sherman
Pantelakos, Laura	Peckham, Michele	Potucek, John	Prudhomme-O'Brien, Katherine
Rice, Frederick	Schroadter, Adam	Sherman, Thomas	Spillane, James
Sweeney, Joe	Sytek, John	Tilton, Rio	Tucker, Pamela
Vose, Michael	Ward, Gerald	Ward, Joanne	Webb, James
Welch, David	Weyler, Kenneth	Woitkun, Steven	Wood, David

STRAFFORD

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burton, Wayne	Cheney, Catherine	DeLemus, Susan	DiSesa, Len
Gardner, Janice	Gray, James	Hannon, Joseph	Horrigan, Timothy
Jones, Laura	Kaczynski, Jr., Thomas	Kaen, Naida	Knowles, Robert
Leeman, Don	Mullen, John	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Southworth, Thomas	Spang, Judith
Sprague, Dale	Stevens, Audrey	Treleaven, Susan	Wall, Janet
Ward, Kenneth	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Grenier, James	Irwin, Virginia	Laware, Thomas	O'Hearne, Andrew
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

NAYS - 25

BELKNAP

Fisher, Robert LeBreche, Shari

CARROLL

Comeau, Ed

GRAFTON

Ingbretson, Paul

HILLSBOROUGH

Ammon, Keith	Bouldin, Amanda	Burt, John	Coffey, James
Fromuth, Bart	Gidge, Kenneth	Hogan, Edith	Marston, Dick
McLean, Mark	Schleien, Eric		

MERRIMACK

Hoell, J.R.

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Kellogg, Shem	Kolodziej, Walter
Osborne, Jason			

STRAFFORD

Beaudoin, Steven	Cilley, Jacalyn	Groen, Warren	Turcotte, Leonard

SULLIVAN

Bridge, Ernest

and the veto was overridden.

GOVERNOR'S VETO MESSAGE ON HB 2

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 25, 2015, I have vetoed House Bill 2, relative to state fees, funds, revenues, and expenditures." *(Refer to veto message on House Bill 1)*

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 2-FN-A-L,** relative to state fees, funds, revenues, and expenditures, become law?

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 326 - NAYS 21

YEAS - 326

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	Hurt, George	Luther, Robert
Russell, David	Spanos, Peter	Tilton, Franklin	Vadney, Herbert
Varney, Peter			

CARROLL

Avellani, Lino	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Crawford, Karel	McCarthy, Frank	McConkey, Mark
Parker, Harold	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Ted			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	McConnell, Jim
Parkhurst, Henry	Pearson, William	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Sterling, Franklin
Tatro, Bruce	Tilton, Benjamin	Weber, Lucy	

COOS

Froburg, Alethea	Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Bennett, Travis
Brown, Chris	Brown, Duane	Brown, Rebecca	Cooney, Mary
Darrow, Stephen	Ford, Susan	Gionet, Edmond	Hennessey, Erin
Hennessey, Martha	Higgins, Patricia	Hull, Robert	Johnson, Eric
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Boehm, Ralph	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Christie, Rick
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
Eastman, Eric	Edelblut, Frank	Edwards, Elizabeth	Estevez, Eric
Ferreira, Elizabeth	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gagne, Larry	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gonzalez, Carlos	Gorman, Mary	Gould, Linda	Griffin, Barbara
Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn	Hansen, Peter

Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Infantine, William
Jack, Martin
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Leishman, Peter
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McNamara, Richard
Moore, Josh
Murotake, David
Murphy, Keith
Notter, Jeanine
O'Brien, Michael
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rosenwald, Cindy
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Shaw, Barbara
Simmons, Tammy
Smith, Gregory
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Stepanek, Stephen
Straight, Phillip
Sullivan, Daniel
Sullivan, Victoria
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bradley, Paula
Brewster, Michael
Carson, Clyde
Deloge, Helen
Doherty, David
Frazer, June
French, Barbara
French, Harold
Henle, Paul
Hess, David
Hill, Gregory
Hirsch, Geoffrey
Horn, Werner
Karrick, David
Kenison, Linda
Kotowski, Frank
Kuch, Bill
Luneau, David
MacKay, James
Marple, Richard
Martin, John
McGuire, Carol
McGuire, Dan
Moffett, Howard
Myler, Mel
Rice, Harold (Chip)
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Barnes, Arthur
Bates, David
Belanger, Ronald
Berrien, Skip
Borden, David
Bush, Carol
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
Devine, James
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Friel, William
Gannon, William
Gordon, Richard
Green, Dennis
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Itse, Daniel
Kappler, Lawrence
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Matthews, Carolyn
McBeath, Rebecca
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sherman, Thomas
Spillane, James
Sweeney, Joe
Sytek, John
Tilton, Rio
Tucker, Pamela
Vose, Michael
Ward, Gerald
Ward, Joanne
Webb, James
Welch, David
Weyler, Kenneth
Woitkun, Steven
Wood, David

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
DeLemus, Susan
DiSesa, Len
Gardner, Janice
Gray, James
Hannon, Joseph
Horrigan, Timothy
Jones, Laura
Kaczynski, Jr., Thomas
Kaen, Naida
Knowles, Robert
Leeman, Don
Mullen, John
Pitre, Joseph
Rollo, Deanna
Schmidt, Peter
Smith, Marjorie
Southworth, Thomas
Spang, Judith
Sprague, Dale
Stevens, Audrey
Treleaven, Susan
Wall, Janet
Ward, Kenneth
Whitehouse, Joshua
Wuelper, Kurt

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Laware, Thomas
O'Hearne, Andrew	Oxenham, Lee	Rollins, Skip	Schmidt, Andrew
Smith, Steven			

NAYS - 21

BELKNAP

Fisher, Robert LeBreche, Shari

CARROLL

Comeau, Ed

HILLSBOROUGH

Ammon, Keith	Bouldin, Amanda	Burt, John	Coffey, James
Fromuth, Bart	Marston, Dick	McLean, Mark	Schleien, Eric

MERRIMACK

Hoell, J.R.

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Kellogg, Shem	Kolodziej, Walter
Osborne, Jason			

STRAFFORD

Beaudoin, Steven	Cilley, Jacalyn	Groen, Warren	Turcotte, Leonard

and the veto was overridden.

RESOLUTION

Rep. Flanagan offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time.
Motion adopted.

UNANIMOUS CONSENT

Rep. Notter requested Unanimous Consent regarding the anniversary of 9/11 and addressed the House.

RECESS MOTION

Rep. Flanagan moved that the House stand in recess for the purposes of receiving Senate messages, after which time the House will stand adjourned from the 2015 Session.
Motion adopted.

The House recessed at 5:10 p.m.

RECESS

(Speaker Jasper in the Chair)

SENATE MESSAGE

The Senate has voted to override the Governor's veto on the following Bills:
HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017.
HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

ADJOURNED

2015 SPECIAL SESSION
HOUSE JOURNAL NO. 1

Wednesday, November 18, 2015

The House assembled at 12:00 noon, on the date set in the Call for Special Session of the House by the Governor, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

MOMENT OF SILENCE

The House observed a moment of silence to honor and remember the victims of the Paris attacks.

Prayer was offered by Paul C. Smith, Clerk of the House.
O God, the Grand Governor of all, we come before You today with heavy hearts from the recent bloodshed on French soil, but hearts full of purpose as we meet today to discuss the epidemic that has affected many of us in this Chamber in one way or another. Please touch the lives of those afflicted by addiction, bless those who work to aid those in sickness and comfort those families who have suffered loss. Let us join the call for peace and unity in this troubled time and we beseech thee, O God, to hold back the hands that kill and maim and turn around the hearts that hate, granting Your strong spirit of peace; peace that passes our understanding but changes lives. We also pray for our House Chaplain Kate today, unable to be with us as she underwent emergency surgery this week. Please grant her comfort and a speedy recovery. All this we ask, almighty Creator, in peace and purpose. Amen.

Representative Howard Moffett, member from Canterbury, led the Pledge of Allegiance.

The National Anthem was sung by Lauren Hsu, a student at Iber Holmes Gove Middle School in Raymond and granddaughter of Rep. Matthews.

LEAVES OF ABSENCE

Reps. Rebecca Brown, Cynthia Chase, Emerson, Gargasz, Gonzalez, Priestley, Sanders and Stephen Schmidt, the day, illness.
Reps. Avellani, Borden, Devine, Dumais, Fisher, Friel, Gardner, Harvey, Higgins, Kidder, Leishman, Ley, Carol McGuire, Dan McGuire, Rollo, Rosenwald, Schleien, Gregory Smith, Marjorie Smith, Stevens, Sytek, Tamburello, Joanne Ward, Kenneth Ward and White, the day, important business.
Reps. Parkhurst and Verschueren, the day, death in the family.

INTRODUCTION OF GUESTS

John Matthews, Donald, Joanne, Joseph, Dick and Alice Hsu, husband, family and guests of Rep. Matthews. Adrian Allen, guest of Rep. Burton. James Pecske, guest of Reps. Hill and Hoell. Rosemary Fesh, wife of Rep. Fesh.

COMMUNICATION

November 18, 2015

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301
Dear Paul:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:
Strafford County District No. 1
Robert V. Graham, Jr., r, Milton (58 Bolan Rd.) 03851

Sincerely,
William M. Gardner
Secretary of State

CALL FOR THE SPECIAL SESSION
A PROCLAMATION
BY HER EXCELLENCY MARGARET WOOD HASSAN, GOVERNOR
WITH THE ADVICE OF THE HONORABLE EXECUTIVE COUNCIL
WEDNESDAY, NOVEMBER 4, 2015

WHEREAS, the welfare of the people of the State of New Hampshire require the convening of the General Court for the purpose of enacting legislation to strengthen the State of New Hampshire's ongoing efforts to address the statewide heroin and opioid epidemic, which has already taken the lives of an estimated 258 people in 2015 and is straining the resources of our families, law enforcement officials, firefighters, emergency medical workers, and judicial and healthcare systems.

WHEREAS, the Executive Department in calling such a session intends an agenda limited to passing comprehensive legislation to address the heroin and opioid epidemic, including:

(1) Ensuring that laws and penalties for the distribution and sale of fentanyl, the major cause of overdose death in 2015, match those for the sale and distribution of heroin;

(2) Streamlining access to treatment by requiring all insurance companies to use the same evaluation criteria and removing prior authorization requirements in certain cases;

(3) Requiring the boards governing all prescribers to update their rules by April 1 to ensure that patients and providers are warned adequately about the dangers of opioids, that providers are required to follow best prescribing practices, and that prescribers receive appropriate medical education in the best practices on prescribing opioids and pain management;

(4) Mandating greater use by prescribers of the state's Prescription Drug Monitoring Program and upgrading its technology to ensure that more prescribers can use it in a timely fashion;

(5) Providing for a statewide drug court program; and

(6) Appropriating dollars for Fiscal Years 2016 and 2017 to support comprehensive law enforcement, prevention, treatment, and recovery efforts related to substance abuse.

NOW THEREFORE, the Governor, with the advice of the Council, on a motion duly seconded, hereby exercise their executive legislative authority under Part 2, Article 50 of the New Hampshire Constitution and summon the General Court to convene in Special Session on Wednesday, November 18, 2015.

Margaret Wood Hassan, Governor

CALL OF THE ROLL

BELKNAP COUNTY

Dist. No. 1 (1)	Valerie Fraser, r
Dist. No. 2 (4)	Glen Aldrich, r; George Hurt, r; Herbert R. Vadney, r
Dist. No. 3 (4)	Donald H. Flanders, r; Robert A. Luther, r; Peter Spanos, r; Franklin T. Tilton, r
Dist. No. 4 (2)	Dennis H. Fields, r; Brian Gallagher, r
Dist. No. 5 (2)	Peter Varney, r
Dist. No. 6 (2)	Shari LeBreche, r; Michael J. Sylvia, r
Dist. No. 7 (1)	
Dist. No. 8 (1)	Howard Raymond, r
Dist. No. 9 (1)	

CARROLL COUNTY

Dist. No. 1 (1)	Gene G. Chandler, r
Dist. No. 2 (3)	Thomas L. Buco, d; Frank McCarthy, r; Karen C. Umberger, r
Dist. No. 3 (2)	Mark E. McConkey, r; Susan J. Ticehurst, d
Dist. No. 4 (2)	Glenn Cordelli, r; Karel A. Crawford, r
Dist. No. 5 (3)	Ed Comeau, r; Bill G. Nelson, r
Dist. No. 6 (2)	Harold Parker, r
Dist. No. 7 (1)	Edward A. Butler, d
Dist. No. 8 (1)	Ted S. Wright, r

CHESHIRE COUNTY

Dist. No. 1 (4)	Michael Abbott, d; Paul S. Berch, d; Tara A. Sad, d; Lucy M. Weber, d
Dist. No. 2 (1)	John E. Mann, d

Dist. No. 3 (1) Daniel A. Eaton, d
Dist. No. 4 (1) William Pearson, d
Dist. No. 5 (1) John Bordenet, d
Dist. No. 6 (1) Timothy N. Robertson, d
Dist. No. 7 (1) Gladys Johnsen, d
Dist. No. 8 (1)
Dist. No. 9 (2) Richard Ames, d
Dist. No. 10 (1) Marjorie J. Shepardson, d
Dist. No. 11 (2) John B. Hunt, r
Dist. No. 12 (2) Jim McConnell, r; Ben Tilton, d
Dist. No. 13 (1)
Dist. No. 14 (1) Franklin Sterling, r
Dist. No. 15 (1) Bruce L. Tatro, d
Dist. No. 16 (2) Larry Phillips, d; Kris Roberts, d

COOS COUNTY

Dist. No. 1 (2) John Fothergill, r; Laurence M. Rappaport, r
Dist. No. 2 (1) Wayne T. Moynihan, d
Dist. No. 3 (3) Alethea Lincoln Froburg, d; Robert L. Theberge, d; Yvonne D. Thomas, d
Dist. No. 4 (1) Herbert D. Richardson, r
Dist. No. 5 (1) John Tholl, r
Dist. No. 6 (1) William A. Hatch, d
Dist. No. 7 (1) Leon H. Rideout, r

GRAFTON COUNTY

Dist. No. 1 (2) Erin T. Hennessey, r; Linda Massimilla, d
Dist. No. 2 (1)
Dist. No. 3 (1) Susan M. Ford, d
Dist. No. 4 (1) Rick M. Ladd, r
Dist. No. 5 (1) Edmond D. Gionet, r
Dist. No. 6 (1) Kevin Maes, d
Dist. No. 7 (1) Eric Johnson, r
Dist. No. 8 (3) Mary R. Cooney, d; Suzanne J. Smith, d
Dist. No. 9 (2) Robert Hull, r; Jeffrey S. Shackett, r
Dist. No. 10 (1) Wendy A. Piper, d
Dist. No. 11 (1) Charles L. Townsend, d
Dist. No. 12 (4) Chris Brown, d; Martha Hennessey, d; Sharon Nordgren, d
Dist. No. 13 (4) Richard Abel, d; Susan W. Almy, d; George E. Sykes, d
Dist. No. 14 (1) Brad Bailey, r;
Dist. No. 15 (1) Paul Ingbretson, r
Dist. No. 16 (1) Duane Brown, r
Dist. No. 17 (1) Stephen Darrow, r

HILLSBOROUGH COUNTY

Dist. No. 1 (2) Marjorie A. Porter, d; Gilman C. Shattuck, d
Dist. No. 2 (3) Gary S. Hopper, r; Neal M. Kurk, r
Dist. No. 3 (1) Jonathan F. Manley, d
Dist. No. 4 (2) Carol Roberts, d; Kermit R. Williams, d
Dist. No. 5 (2) David Woodbury, d
Dist. No. 6 (5) Rick Christie, r; Barbara Griffin, r; David Pierce, r; Claire Rouillard, r; Nick Zaricki, r
Dist. No. 7 (6) David J. Danielson, r; Bart Fromuth, r; Linda Gould, r; Keith Murphy, r; Ken Peterson, r; Terry Wolf, r
Dist. No. 8 (2) Jeffrey P. Goley, d; Joseph Lachance, r
Dist. No. 9 (2)
Dist. No. 10 (2) Jean L. Jeudy, d; Patrick T. Long, d
Dist. No. 11 (2) Elizabeth Edwards, d; Robert M. Walsh, d

Dist. No. 12 (2) Amanda Bouldin, d
Dist. No. 13 (2) Larry G. Gagne, r; William J. Infantine, r
Dist. No. 14 (2) Mary Freitas, d; Mary Heath, d
Dist. No. 15 (2) Mark McLean, r
Dist. No. 16 (2) Barbara E. Shaw, d; Victoria Sullivan, r
Dist. No. 17 (2) Tammy Simmons, r; Timothy J. Smith, d
Dist. No. 18 (2) Patricia Cornell, d; Armand Forest, d
Dist. No. 19 (2) Robert A. Backus, d; Dick A. Marston, r
Dist. No. 20 (2) Ralph G. Boehm, r; Frank A. Byron, r
Dist. No. 21 (8) John Balcom, r; Richard W. Barry, r; Chris Christensen, r; Richard W. Hinch, r; Josh Moore, r; Jeanine M. Notter, r; Tony J. Pellegrino, r; Phillip N. Straight, r
Dist. No. 22 (3) Peter T. Hansen, r; Robert H. Rowe, r
Dist. No. 23 (4) Barbara Biggie, r; William J. Goulette, r; Carolyn Halstead, r
Dist. No. 24 (2) Ivy Vann, d
Dist. No. 25 (2) James E. Coffey, r; James A. Parison, r
Dist. No. 26 (2) Christopher R. Adams, r; Jack B. Flanagan, r
Dist. No. 27 (2) James P. Belanger, r
Dist. No. 28 (3) Eric Eastman, r; Elizabeth Ferreira, r; Carl Seidel, r
Dist. No. 29 (3) Peggy McCarthy, r; Donald B. McClarren, r
Dist. No. 30 (3) Alan Cohen, d; Lisa Scontsas, r
Dist. No. 31 (3) Pamela T. Brown, d; David E. Cote, d; Mary J. Gorman, d
Dist. No. 32 (3) Donald L. LeBrun, r; David K. Murotake, r; Barry Palmer, r
Dist. No. 33 (3) Efstathia C. Booras, d; Kenneth N. Gidge, d; Lee Guerette, d
Dist. No. 34 (3) Edith Hogan, r; Timothy A. Soucy, d; Timothy L. Twombly, r
Dist. No. 35 (3) Daniel C. Hansberry, d; Latha Mangipudi, d
Dist. No. 36 (3) Martin L. Jack, d; Michael B. O'Brien, d; Bill Ohm, r
Dist. No. 37 (11) Lars T. Christiansen, r; Eric Estevez, r; Robert H. Haefner, r; Shawn N. Jasper, r; Lynne M. Ober, r; Russell T. Ober, r; Kimberly Rice, r; Charlene F. Takesian, r; Jordan G. Ulery, r
Dist. No. 38 (2) Richard D. McNamara, d
Dist. No. 39 (1) John A. Burt, r
Dist. No. 40 (1) Keith Ammon, r
Dist. No. 41 (1) Laurie J. Sanborn, r
Dist. No. 42 (2) Kendall Snow, d; Daniel J. Sullivan, d
Dist. No. 43 (3) Christopher Herbert, d; Kathleen F. Souza, r
Dist. No. 44 (2) Mark Proulx, r
Dist. No. 45 (2) Jane E. Beaulieu, d

MERRIMACK COUNTY

Dist. No. 1 (1) Mario F. Ratzki, d
Dist. No. 2 (2) Harold French, r; Werner Horn, r
Dist. No. 3 (2) Gregory Hill, r; Deborah Wheeler, d
Dist. No. 4 (1)
Dist. No. 5 (2) Karen E. Ebel, d&r
Dist. No. 6 (2) Barbara C. French, d; Geoffrey D. Hirsch, d
Dist. No. 7 (1) Clyde J. Carson, d
Dist. No. 8 (1) Caroletta C. Alicea, d
Dist. No. 9 (2) Howard M. Moffett, d; George Saunderson, d
Dist. No. 10 (3) David Luneau, i; Mel Myler, d; Mary Jane Wallner, d
Dist. No. 11 (1) Stephen J. Shurtleff, d
Dist. No. 12 (1) Paul J. Henle, d
Dist. No. 13 (1) June M. Frazer, d
Dist. No. 14 (1) James R. MacKay, d
Dist. No. 15 (1) Linda Kenison, d
Dist. No. 16 (1) Helen Deloge, d
Dist. No. 17 (1) Dick W. Patten, d

Dist. No. 18 (1) Paula Bradley, d
Dist. No. 19 (1) Christy D. Bartlett, d
Dist. No. 20 (3) David Doherty, d; Dianne E. Schuett, d; Brian Seaworth, r
Dist. No. 21 (2) Michael Brewster, r
Dist. No. 22 (1) Alan J. Turcotte, d
Dist. No. 23 (3) J. R. Hoell, r; Bill Kuch, r; John Martin, r;
Dist. No. 24 (4) David W. Hess, r; Frank R. Kotowski, r; Dick Marple, r; Thomas C. Walsh, r
Dist. No. 25 (1) David B. Karrick, d
Dist. No. 26 (1)
Dist. No. 27 (2) Mary Stuart Gile, d
Dist. No. 28 (1) Katherine D. Rogers, d
Dist. No. 29 (1)

ROCKINGHAM COUNTY

Dist. No. 1 (1) Bruce E. Hodgdon, r
Dist. No. 2 (3) Joe Duarte, r; James Spillane, r; Kyle J. Tasker, r
Dist. No. 3 (3) Kathleen M. Hoelzel, r; Lawrence M. Kappler, r; Carolyn Matthews, r
Dist. No. 4 (5) William Gannon, r; Joseph M. Hagan, r; Jason Osborne, r; Chris True, r
Dist. No. 5 (7) Alfred P. Baldasaro, r; Robert E. Introne, r; David C. Lundgren, r; Betsy McKinney, r; Sherman A. Packard, r; Doug Thomas, r
Dist. No. 6 (10) Thomas Cardon, r; Brian K. Chirichiello, r; Beverly A. Ferrante, r; Robert M. Fesh, r; Phyllis Katsakiores, r; David E. Milz, r; John T. O'Connor, r; John Potucek, r; Katherine Prudhomme-O'Brien, r; James C. Webb, r
Dist. No. 7 (4) David Bates, r; Mary E. Griffin, r; Walter Kolodziej, r; Charles E. McMahon, r
Dist. No. 8 (9) Gary S. Azarian, r; Arthur Barnes, r; Ronald J. Belanger, r; Fred Doucette, r; Robert J. Elliott, r; John Manning, r; Joe Sweeney, r
Dist. No. 9 (2) Jeffrey F. Harris, r; Michael Vose, r
Dist. No. 10 (1) Daniel C. Itse, r
Dist. No. 11 (1) Allen Cook, r
Dist. No. 12 (1)
Dist. No. 13 (4) Dennis Green, r; Joe Guthrie, r; David Welch, r; Kenneth L. Weyler, r
Dist. No. 14 (4) Debra L. DeSimone, r; Shem Kellogg, r; Norman L. Major, r
Dist. No. 15 (1) Mary M. Allen, r
Dist. No. 16 (1) Robert L. Nigrello, r
Dist. No. 17 (3) Michael D. Cahill, d; Marcia G. Moody, d; Adam R. Schroadter, r
Dist. No. 18 (4) Skip Berrien, d; Paula Francese, d; Frank H. Heffron, d; Alexis Simpson, d
Dist. No. 19 (2) Patrick F. Abrami, r
Dist. No. 20 (3) Max Abramson, r; Francis Chase, r; Rio Tilton, r
Dist. No. 21 (4) Robert R. Cushing, d, J. Tracy Emerick, r; Frederick C. Rice, r
Dist. No. 22 (1) Michele S. Peckham, r
Dist. No. 23 (1) Pamela Z. Tucker, r
Dist. No. 24 (2) Thomas M. Sherman, d
Dist. No. 25 (1) Laura C. Pantelakos, d
Dist. No. 26 (1) Rebecca McBeath, d
Dist. No. 27 (1) Debbie DiFranco, d
Dist. No. 28 (1) Gerald W. R. Ward, d
Dist. No. 29 (1) Pamela Gordon, d
Dist. No. 30 (1) Jacqueline A. Cali-Pitts, d
Dist. No. 31 (1) Carol Bush, r
Dist. No. 32 (1) Yvonne Dean-Bailey, r
Dist. No. 33 (1) Steven Woitkun, r
Dist. No. 34 (1) Jeffrey D. Oligny, r
Dist. No. 35 (1) Richard E. Gordon, r
Dist. No. 36 (1) Patricia T. Lovejoy, d
Dist. No. 37 (1) Andrew Christie, r

STRAFFORD COUNTY

Dist. No. 1 (2) Robert V. Graham, Jr., r; John A. Mullen, r
Dist. No. 2 (2) Joseph A. Pitre, r; Joshua Whitehouse, r
Dist. No. 3 (2) David A. Bickford, r; Kurt Wuelper, r
Dist. No. 4 (2) Jackie Cilley, d; Len Turcotte, r
Dist. No. 5 (1) Naida L. Kaen, d
Dist. No. 6 (5) Wayne Burton, d; Timothy O. Horrigan, d; Janet G. Wall, d&r
Dist. No. 7 (1)
Dist. No. 8 (1) James P. Gray, r
Dist. No. 9 (1) Steven P. Beaudoin, r
Dist. No. 10 (1) Warren J. Groen, r
Dist. No. 11 (1) Susan C. DeLemus, r
Dist. No. 12 (1) Robert Knowles, r
Dist. No. 13 (1)
Dist. No. 14 (1) William S. Baber, d
Dist. No. 15 (1)
Dist. No. 16 (1) Len DiSesa, d
Dist. No. 17 (3) Peter W. Bixby, d; Catherine Cheney, r; Susan Treleaven, d
Dist. No. 18 (3) Roger R. Berube, d; Dale R. Sprague, d
Dist. No. 19 (1) Peter B. Schmidt, d
Dist. No. 20 (1) Thomas Southworth, d
Dist. No. 21 (1)
Dist. No. 22 (1) Thomas Kaczynski, r
Dist. No. 23 (1) Don Leeman, r
Dist. No. 24 (1) Laura M. Jones, r
Dist. No. 25 (1) Joe Hannon, r

SULLIVAN COUNTY

Dist. No. 1 (2) Lee Walker Oxenham, d; Andrew R. Schmidt, d
Dist. No. 2 (1) Suzanne H. Gottling, d
Dist. No. 3 (1)
Dist. No. 4 (1) Larry Converse, d
Dist. No. 5 (1) Raymond G. Gagnon, d
Dist. No. 6 (2) Ernest Bridge, r; Skip Rollins, r
Dist. No. 7 (1) James L. Grenier, r
Dist. No. 8 (1) Thomas W. Laware, r
Dist. No. 9 (1) Virginia O'Brien Irwin, d
Dist. No. 10 (1) John R. Cloutier, d
Dist. No. 11 (1) Steven D. Smith, r

With 344 members having answered the call of the roll, the Speaker declared a quorum was present.

ADOPTION OF RULES

Rep. Hinch moved that the House adopt Special Session Rules, as proposed by the Rules Committee, for the 2015 Special Session.

2015 HOUSE SPECIAL SESSION RULES
AS PROPOSED BY THE HOUSE RULES COMMITTEE
DUTIES OF THE SPEAKER

1. Calling the body to order. The Speaker shall take the chair at precisely the hour to which the House has been called and shall immediately call the members to order.

2. Decorum, order and appeal. The Speaker shall preserve decorum and order, may speak on points of order in preference to other members, and shall decide questions of order. The decision of the Speaker on a question of order shall be conclusive unless the decision is immediately appealed to the House. The House shall decide the appeal by a majority vote of those members present and voting.

3. Voting: conditions of. The Speaker shall not be called on to vote unless the vote would be decisive. If the vote is tied after the Speaker has voted, the question shall be lost.

4. Signing of resolutions warrants, subpoenas, etc. The Speaker shall sign all resolutions and addresses after passage or enrollment. All warrants, subpoenas and other processes issued by order of the House shall be signed by the Speaker and attested to by the Clerk.

5. Authority to clear gallery. The Speaker or chairman of the committee of the whole House shall have the power to order the gallery cleared in cases of any disturbance or disorderly conduct.

6. Designating a substitute to preside. The Speaker shall have power to substitute any member to perform the duties of the Chair. If absent, the Speaker shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

DECORUM AND DEBATE

7. Members to be seated and activate voting stations. When the House is called to order, members shall take their seats and shall activate their voting stations immediately. When they leave their seats for any reason they shall deactivate their stations.

8. Mason's Manual of Legislative Procedure as parliamentary guide. In all cases not provided for by the Constitution, House Rules, or Joint Rules, *Mason's Manual of Legislative Procedure*, 2010 Edition, shall be the parliamentary guide.

9. Members shall rise to address Speaker. When any member is about to speak in debate, make a motion, or deliver any matter to the House, the member shall rise from his or her seat and respectfully address the Speaker, declaring the purpose for which the member rises to speak.

10. Members: first rising shall speak first. In all cases, the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they may file their names with the Clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak.

11. Members: speaking more than twice. No member shall speak more than twice on the same question without permission from the House. No member shall speak more than once until every member choosing to speak has spoken.

12. Members: walking in front of podium prohibited. While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House. While a member is speaking, no one shall pass between that member and the other members of the House, nor shall anyone engage in private conversation.

13. Members: questions of order. If any member transgresses the rules of the House, the Speaker shall, or any member may, call the member to order. The member called to order shall immediately sit down and the question of order shall be distinctly stated by the Speaker.

14. Ethics guidelines. In all instances, every member shall act in conformance with the duly adopted New Hampshire General Court Ethics Guidelines and opinions of the Legislative Ethics Committee.

15. Persons permitted on floor/in anteroom during session.

(a) The following persons shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session: House members and officers, the Governor, Council members, the Secretary of State, the Treasurer, the President of the Senate and the Senate Clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session, except with the permission of the Speaker.

16. Motions: in possession of the House. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

17. Motions: order of precedence; to indefinitely postpone; amendment as substitute motion.

(a) When any question is under debate, precedence of motions shall be as follows:

(1) to adjourn;

(2) to lay on the table;

(3) for the previous question;

(4) to amend;

(5) to postpone indefinitely.

Motions to adjourn, to lay on the table, for the previous question, and to take from the table shall be decided without debate.

(b) When a question is postponed indefinitely, that question shall not be acted on during the same session, unless two-thirds of those members present and voting vote in favor thereof.

(c) No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

18. Previous question.

(a) The Speaker shall put the previous question in the following form: "Shall debate now be limited?" and all debate on the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken on pending amendments, in their regular order, and then on the main question.

(b) All incidental questions of order arising after a motion of the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

(c) If the previous question is decided in the negative, it shall not again be in order for the particular question under consideration until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

19. Voting: by voice, division and roll call; must be present when question put; seconding roll call request; voting stations; members required to vote. There shall be three forms of deciding the question: voice vote, division vote, roll call vote. No member shall vote in any case if the member is not present when the question is put.

(a) The question put by voice vote shall be: "All those in favor of the question say "aye," and after the affirmative vote is expressed, "Those of a contrary opinion say "no."

(b) A division vote shall be taken if the Speaker doubts the voice vote or if a member calls for a division vote initially or before the Speaker announces the result of the vote. When a division of the House is taken, the Speaker may appoint a teller for each seating division of the House, who shall report to the Chair the state of the vote.

(c) A roll call shall be taken when a member moves for a roll call vote and that motion is seconded by 10 other members. The member requesting the roll call vote and the 10 members who second the motion shall notify the clerk in writing or shall rise from their seats or otherwise be recognized by the Speaker. Whenever a roll call vote is requested and properly seconded, members shall enter the chamber to take their seats and the question shall then be put to the House.

(d) When a division or a roll call is taken, the Speaker shall put the question and open the voting stations for not more than 30 seconds. Each member present at his or her voting station shall press either the YES (green) or NO (red) button unless excused by the House for a special reason. After closing the vote, the Speaker shall rise and state the decision of the House.

20. Tie vote, question lost. In case of a tie vote, the question shall be lost.

21. Leaving seats prohibited during voting. No member shall leave his or her seat while the voting machine is in use and until the Speaker announces the result of the vote.

22. Reconsideration. No vote shall be reconsidered unless the motion for reconsideration is made immediately after action on the legislation.

23. Objection to reading paper/document. When the reading of a paper or a document is objected to by a member, the question shall be determined by a vote of the House without debate.

24. Absences. All members shall attend to their duties in the House or committee, and no one shall be absent from the service of the House or committee unless the member has leave, or is sick and unable to attend.

COMMITTEES AND THEIR DUTIES

25. There shall be a Committee on Enrolled Bills, appointed by the Speaker, to carefully examine each piece of legislation, enroll it, and report it on behalf of the Committee to the House. If the examination of legislation shall disclose any clerical error or imperfection, it shall be reported back to the House with such amendments as are required to correct the same; and any measures so reported shall be subject to amendment in those particulars and in no other respect.

BILLS

26. Legislation may only be drafted in the form of a concurrent resolution addressing the statewide heroin and opioid epidemic.

27. Drafting by Office of Legislative Services.

(a) All memorials, and other papers addressed to the House and resolutions to be introduced in the House, except those House resolutions not taking a policy position that are prepared by the Clerk of the House, shall be delivered or caused to be delivered to the Office of Legislative Services by the member presenting them. The Office of Legislative Services shall prepare those resolutions, memorials and other papers in proper form and shall present them to the member(s) for signature. All such legislation shall be prepared for signature by the sponsor.

(b) All resolutions, memorials and other papers addressed to the House, shall be endorsed with the name and the district of the legislator presenting them. Each House concurrent resolution shall be marked "Special Session House Concurrent Resolution."

(c) No House resolution shall be drafted unless the LSR has a House sponsor. No more than ten House members shall be allowed to sponsor any resolution or floor amendment. No more than 5 Senate members shall be allowed to co-sponsor legislation originating in the House.

28. Three readings. Every resolution shall have three separate readings in the House prior to its passage. The first and second readings shall be by title only which may be accomplished by a single motion. The time assigned for the third reading of resolutions shall be after passage in the early session unless otherwise ordered by the House.

29. Clerk to provide copies for distribution. After each resolution has been numbered, the Clerk shall procure a sufficient number of copies for distribution.

30. Amendments.

(a) No amendment shall be made until the second reading of a resolution. All amendments to resolutions shall be prepared by the Office of Legislative Services, with the name of the member and the district.

(b) No amendment shall be added to any resolution which is not germane to the subject matter of the legislative document.

31. Concurrence or nonconcurrence. Any amendment made to a resolution by the Senate shall be returned to the House for concurrence or nonconcurrence.

32. House rules suspension. No standing Special Session rule of the House shall be suspended unless two-thirds of the members vote in favor thereof. A motion to suspend the rules is debatable.

ORDER OF BUSINESS

33. Early/late sessions; leaves of absence.

(a) The order of business in the early session shall be as follows:

(1) Prayer by the Chaplain or a substitute designated by the Speaker, pledge of allegiance and leaves of absence if received before the start of the legislative day;

(2) Introduction of guests;

(3) Introduction, first and second reading of resolutions;

(4) Messages from the Senate, the Governor and the Secretary of State;

(5) Resolutions, motions and notices;

(6) Third reading of resolutions;

(7) Adjournment from the early session.

(b) The order of business in the late session shall be as follows:

(1) Resolutions and motions;

(2) Personal privilege in accordance with *Mason's Manual of Legislative Procedure*, Sec. 220-226, 2010 Edition;

(3) Unanimous consent in accordance with *Mason's Manual of Legislative Procedure*, Sec. 537, 2010 Edition;

(4) Adjournment.

(c) The order of business listed in this rule shall be adhered to unless otherwise ordered by a majority of those members of the House present and voting.

(d) Leaves of absence may be granted by the House at any time.

OFFICERS AND PERSONNEL

34. Speaker shall define duties of officers and personnel. The elected and appointed non-member officers and personnel of the House shall be under the direction of the Speaker, who shall define their duties not fixed by statute or otherwise ordered by the House.

35. Expenditures approval. No officer or employee of the House during the session or any adjournment thereof shall purchase or contract to purchase, pay or promise to pay, any sum of money on behalf of the House or issue any requisition or manifest without securing the approval in writing of the Speaker of the House or designee.

36. Security officer. The Speaker may appoint an individual trained and experienced in security matters or law enforcement work, who, under the supervision and direction of the Speaker, shall prevent the deliberations of the House from being disrupted or interfered with by any person or persons not members thereof.

37. Influencing legislation; prohibition of. No employee or attaché of the House Sergeant-at-Arms shall, directly or indirectly, be personally involved with or attempt to influence the passage or consideration of any measure whatsoever. If any such employee or attaché becomes involved with any such measure, it shall be grounds for summary dismissal.

MISCELLANEOUS

38. Deadly weapons; electronic devices; cameras. No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall display any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or House gallery. Any person in violation of this rule shall be subject to ejection from any such premises on the order of the Speaker and disciplinary action or arrest or both by action of the House. Nothing in this rule shall indicate that the security officer appointed by the House under Rule 61 has the right to stop and search a member of the House on the premises of the House or that any person is precluded a legally permitted exercise of self-defense or defense of others. With the exception of devices for the hearing impaired, no member shall operate audible electronic transmitting and/or receiving devices nor shall any member operate a video camera or a camera utilizing flash bulbs on the floor of the House, while the House is in session.

39. Sources of Authority. The procedures of the New Hampshire House shall be derived from the following sources in the order of precedence listed:

(a) Constitutional provisions;
(b) Rules of the New Hampshire House;
(c) Custom, usage and precedent;
(d) Adopted parliamentary manual (*Mason's Manual of Legislative Procedure*, 2010 Edition);
(e) Statutory provisions.

DEFINITIONS

CONCURRENT RESOLUTION:
A concurrent resolution is acted on by the house or senate and sent to the other house for approval but is not sent to the governor for signature. Therefore, it does not have the effect of a law, and it is important to note that it cannot be used to appropriate money. Concurrent resolutions may be used to put the legislature on record as supporting or disavowing some aspect of national or state policy. Also, a concurrent resolution may be utilized to express appreciation to some individual or group.

The question being adoption of the 2015 Special Session House Rules.
Motion adopted.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Special Session House Concurrent Resolution numbered 1 shall be by this resolution read a first and second time by the therein listed title.
Motion adopted.

INTRODUCTION OF SPECIAL SESSION LEGISLATION

First, second reading and referral

SS HCR 1, establishing a joint task force for the response to the heroin and opioid epidemic in New Hampshire. (Jasper, Hills 37; Hinch, Hills 21; Morse, Dist 22; Bradley, Dist 3)

CONSIDERATION OF SS HCR 1

Rep. Hinch moved Ought to Pass.
Rep. Hoell offered floor amendment (2566h).

Floor Amendment (2566h)

Amend the resolution by inserting after the sixth subparagraph of the ninth paragraph after the resolving clause the following new subparagraph:

7. Reviewing existing statutes for unintended consequences relative to current drug prohibitions; and

Rep. Hoell spoke in favor.
Rep. Hinch spoke against and yielded to questions.
Rep. Burt requested a roll call; sufficiently seconded.

YEAS 79 - NAYS 258

YEAS - 79

BELKNAP

Aldrich, Glen	Howard, Jr., Raymond	Spanos, Peter	Sylvia, Michael
Varney, Peter			

CARROLL

Comeau, Ed

CHESHIRE

McConnell, James	Robertson, Timothy	Tilton, Benjamin

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Hull, Robert	Ingbretson, Paul	Johnson, Eric

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Boehm, Ralph	Bouldin, Amanda
Burt, John	Christie, Rick	Eastman, Eric	Edwards, Elizabeth
Ferreira, Elizabeth	Fromuth, Bart	Gagne, Larry	Goulette, William
Jeudy, Jean	Marston, Dick	McLean, Mark	Moore, Josh
Murotake, David	Murphy, Keith	Parison, James	Rice, Kimberly
Scontsas, Lisa	Simmons, Tammy	Sullivan, Victoria	Ulery, Jordan
Williams, Kermit	Zaricki, Nick		

MERRIMACK

Brewster, Michael	French, Harold	Hoell, J.R.	Horn, Werner
Kuch, Bill	MacKay, James	Martin, John	Rogers, Katherine
Seaworth, Brian			

ROCKINGHAM

Abramson, Max	Allen, Mary	Baldasaro, Alfred	Bates, David
Gannon, William	Green, Dennis	Harris, Jeffrey	Itse, Daniel
Kappler, Lawrence	Kellogg, Shem	McKinney, Betsy	McMahon, Charles
Oligny, Jeffrey	Osborne, Jason	Rice, Frederick	Schroadter, Adam
Sweeney, Joe	True, Chris	Tucker, Pamela	

STRAFFORD

Beaudoin, Steven	Bickford, David	DeLemus, Susan	Groen, Warren
Horrigan, Timothy	Jones, Laura	Kaczynski, Jr., Thomas	Pitre, Joseph
Turcotte, Leonard			

SULLIVAN

Bridge, Ernest	Converse, Larry

NAYS - 258

BELKNAP

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Hurt, George	LeBreche, Shari	Luther, Robert	Tilton, Franklin
Vadney, Herbert			

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Ticehurst, Susan	Umberger, Karen	

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Mann, John
Pearson, William	Phillips, Larry	Roberts, Kris	Sad, Tara
Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce	Weber, Lucy

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Tholl, John	Thomas, Yvonne

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Chris
Brown, Duane	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles

HILLSBOROUGH

Backus, Robert	Balcom, John	Barry, Richard	Beaulieu, Jane
Belanger, James	Biggie, Barbara	Booras, Efstathia	Brown, Pamela
Byron, Frank	Christensen, Chris	Christiansen, Lars	Coffey, James
Cohen, Alan	Cornell, Patricia	Cote, David	Danielson, David
Estevez, Eric	Flanagan, Jack	Forest, Armand	Freitas, Mary
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Gould, Linda
Griffin, Barbara	Guerette, C. Lee	Haefner, Robert	Halstead, Carolyn
Hansberry, Daniel	Hansen, Peter	Heath, Mary	Herbert, Christopher
Hinch, Richard	Hogan, Edith	Hopper, Gary	Infantine, William
Jack, Martin	Kurk, Neal	Lachance, Joseph	LeBrun, Donald
Long, Patrick	Mangipudi, Latha	Manley, Jonathan	McCarthy, Peggy
McClarren, Donald	McNamara, Richard	Notter, Jeanine	O'Brien, Michael
Ober, Lynne	Ober, Russell	Ohm, Bill	Palmer, Barry
Pellegrino, Anthony	Peterson, Ken	Pierce, David	Porter, Marjorie
Proulx, Mark	Roberts, Carol	Rouillard, Claire	Rowe, Robert
Sanborn, Laurie	Seidel, Carl	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Snow, Kendall	Soucy, Timothy	Souza, Kathleen
Straight, Phillip	Sullivan, Daniel	Takesian, Charlene	Twombly, Timothy
Vann, Ivy	Walsh, Robert	Wolf, Terry	Woodbury, David

MERRIMACK

Alicea, Caroletta	Bartlett, Christy	Bradley, Paula	Carson, Clyde
Deloge, Helen	Doherty, David	Ebel, Karen	Frazer, June
French, Barbara	Gile, Mary	Henle, Paul	Hess, David
Hill, Gregory	Hirsch, Geoffrey	Karrick, David	Kenison, Linda
Kotowski, Frank	Luneau, David	Marple, Richard	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas	Wheeler, Deborah		

ROCKINGHAM

Abrami, Patrick	Azarian, Gary	Barnes, Arthur	Belanger, Ronald
Berrien, Skip	Bush, Carol	Cahill, Michael	Cardon, G. Thomas
Chase, Francis	Chirichiello, Brian	Christie, Andrew	Cook, Allen
Cushing, Robert	Dean-Bailey, Yvonne	DeSimone, Debra	DiFranco, Debbie
Doucette, Fred	Duarte, Joe	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Francese, Paula	Gordon, Pamela
Gordon, Richard	Griffin, Mary	Guthrie, Joseph	Hagan, Joseph
Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert

Katsakiores, Phyllis	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Major, Norman	Manning, John	Matthews, Carolyn	McBeath, Rebecca
Milz, David	Moody, Marcia	Nigrello, Robert	O'Connor, John
Packard, Sherman	Pantelakos, Laura	Peckham, Michele	Potucek, John
Prudhomme-O'Brien, Katherine	Sherman, Thomas	Simpson, Alexis	Thomas, Douglas
Tilton, Rio	Vose, Michael	Ward, Gerald	Webb, James
Welch, David	Woitkun, Steven		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cheney, Catherine	Cilley, Jacalyn	DiSesa, Len	Graham, Robert
Gray, James	Hannon, Joseph	Kaen, Naida	Knowles, Robert
Leeman, Don	Mullen, John	Schmidt, Peter	Southworth, Thomas
Sprague, Dale	Treleaven, Susan	Wall, Janet	Wuelper, Kurt

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Laware, Thomas	Oxenham, Lee	Rollins, Skip
Schmidt, Andrew	Smith, Steven		

and floor amendment (2566h) failed.

The question now being adoption of the motion of Ought to Pass.
Reps. Abramson and Simmons spoke against.
Reps. Groen and Hoell spoke against and yielded to questions.
Reps. Spillane, Shurtleff and Hinch spoke in favor.
Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 290 - NAYS 46

YEAS - 290

BELKNAP

Fields, Dennis	Flanders, Donald	Fraser, Valerie	Gallagher, Brian
Hurt, George	LeBreche, Shari	Luther, Robert	Spanos, Peter
Tilton, Franklin	Vadney, Herbert	Varney, Peter	

CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	McCarthy, Frank	McConkey, Mark	Nelson, Bill
Parker, Harold	Ticehurst, Susan	Umberger, Karen	Wright, Ted

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Mann, John
McConnell, James	Pearson, William	Phillips, Larry	Roberts, Kris
Sad, Tara	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Tilton, Benjamin	Weber, Lucy		

COOS

Fothergill, John	Froburg, Alethea	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Tholl, John
Thomas, Yvonne			

GRAFTON

Abel, Richard	Almy, Susan	Bailey, Brad	Brown, Chris
Brown, Duane	Cooney, Mary	Darrow, Stephen	Ford, Susan
Gionet, Edmond	Hennessey, Erin	Hennessey, Martha	Ladd, Rick
Maes, Kevin	Massimilla, Linda	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	

HILLSBOROUGH

Backus, Robert
Balcom, John
Barry, Richard
Beaulieu, Jane
Belanger, James
Biggie, Barbara
Boehm, Ralph
Booras, Efstathia
Bouldin, Amanda
Brown, Pamela
Burt, John
Byron, Frank
Christensen, Chris
Christiansen, Lars
Coffey, James
Cohen, Alan
Cornell, Patricia
Cote, David
Danielson, David
Eastman, Eric
Edwards, Elizabeth
Estevez, Eric
Flanagan, Jack
Forest, Armand
Freitas, Mary
Gagne, Larry
Gidge, Kenneth
Goley, Jeffrey
Gould, Linda
Haefner, Robert
Halstead, Carolyn
Hansberry, Daniel
Hansen, Peter
Heath, Mary
Herbert, Christopher
Hinch, Richard
Hogan, Edith
Hopper, Gary
Infantine, William
Jack, Martin
Jeudy, Jean
Kurk, Neal
Lachance, Joseph
LeBrun, Donald
Long, Patrick
Mangipudi, Latha
Manley, Jonathan
McCarthy, Peggy
McClarren, Donald
McLean, Mark
McNamara, Richard
Moore, Josh
Murotake, David
Notter, Jeanine
O'Brien, Michael
Ober, Lynne
Ober, Russell
Ohm, Bill
Palmer, Barry
Parison, James
Pellegrino, Anthony
Peterson, Ken
Pierce, David
Porter, Marjorie
Proulx, Mark
Rice, Kimberly
Roberts, Carol
Rouillard, Claire
Rowe, Robert
Sanborn, Laurie
Scontsas, Lisa
Seidel, Carl
Shattuck, Gilman
Smith, Timothy
Snow, Kendall
Soucy, Timothy
Souza, Kathleen
Straight, Phillip
Sullivan, Daniel
Takesian, Charlene
Twombly, Timothy
Ulery, Jordan
Vann, Ivy
Walsh, Robert
Williams, Kermit
Wolf, Terry
Woodbury, David
Zaricki, Nick

MERRIMACK

Alicea, Caroletta
Bradley, Paula
Carson, Clyde
Deloge, Helen
Doherty, David
Ebel, Karen
Frazer, June
French, Barbara
French, Harold
Gile, Mary
Henle, Paul
Hess, David
Karrick, David
Kenison, Linda
Kotowski, Frank
Luneau, David
MacKay, James
Marple, Richard
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rogers, Katherine
Saunderson, George
Schuett, Dianne
Seaworth, Brian
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walsh, Thomas
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Azarian, Gary
Bates, David
Belanger, Ronald
Berrien, Skip
Cahill, Michael
Cali-Pitts, Jacqueline
Cardon, G. Thomas
Chase, Francis
Chirichiello, Brian
Christie, Andrew
Cook, Allen
Cushing, Robert
Dean-Bailey, Yvonne
DeSimone, Debra
DiFranco, Debbie
Doucette, Fred
Duarte, Joe
Elliott, Robert
Ferrante, Beverly
Fesh, Robert
Francese, Paula
Gannon, William
Gordon, Pamela
Gordon, Richard
Griffin, Mary
Guthrie, Joseph
Hagan, Joseph
Harris, Jeffrey
Heffron, Frank
Hodgdon, Bruce
Hoelzel, Kathleen
Introne, Robert
Kappler, Lawrence
Katsakiores, Phyllis
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Manning, John
Matthews, Carolyn
McBeath, Rebecca
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Nigrello, Robert
O'Connor, John
Oligny, Jeffrey
Packard, Sherman
Pantelakos, Laura
Peckham, Michele
Potucek, John
Prudhomme-O'Brien, Katherine
Rice, Frederick
Schroadter, Adam
Sherman, Thomas
Simpson, Alexis
Spillane, James
Thomas, Douglas
Tilton, Rio
Tucker, Pamela
Vose, Michael
Ward, Gerald
Webb, James
Welch, David
Woitkun, Steven

STRAFFORD

Baber, William
Berube, Roger
Bickford, David
Bixby, Peter
Burton, Wayne
Cheney, Catherine
Cilley, Jacalyn
DiSesa, Len
Graham, Robert
Gray, James
Hannon, Joseph
Horrigan, Timothy

Kaen, Naida	Knowles, Robert	Leeman, Don	Mullen, John
Schmidt, Peter	Southworth, Thomas	Sprague, Dale	Treleaven, Susan
Wall, Janet	Whitehouse, Joshua	Wuelper, Kurt	

SULLIVAN

Bridge, Ernest	Cloutier, John	Converse, Larry	Gagnon, Raymond
Gottling, Suzanne	Grenier, James	Irwin, Virginia	Laware, Thomas
Oxenham, Lee	Rollins, Skip	Schmidt, Andrew	Smith, Steven

NAYS - 46

BELKNAP

Aldrich, Glen	Howard, Jr., Raymond	Sylvia, Michael

CARROLL

Comeau, Ed

CHESHIRE

Robertson, Timothy

COOS

Theberge, Robert

GRAFTON

Hull, Robert	Ingbretson, Paul	Johnson, Eric	Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher	Ammon, Keith	Christie, Rick	Ferreira, Elizabeth
Fromuth, Bart	Gorman, Mary	Goulette, William	Marston, Dick
Murphy, Keith	Shaw, Barbara	Simmons, Tammy	Sullivan, Victoria

MERRIMACK

Brewster, Michael	Hill, Gregory	Hoell, J.R.	Horn, Werner
Kuch, Bill	Martin, John		

ROCKINGHAM

Abramson, Max	Baldasaro, Alfred	Barnes, Arthur	Bush, Carol
Green, Dennis	Itse, Daniel	Kellogg, Shem	Lundgren, David
Osborne, Jason	Tasker, Kyle	True, Chris	

STRAFFORD

Beaudoin, Steven	DeLemus, Susan	Groen, Warren	Jones, Laura
Kaczynski, Jr., Thomas	Pitre, Joseph	Turcotte, Leonard	

and the motion was adopted and ordered to third reading.
Reps. Theberge and Gorman voted Nay and intended to vote Yea.
Rep. Hirsch did not vote and notified the Clerk that he wished to be recorded in favor.

THIRD READING

Without objection, Special Session House Concurrent Resolution 1 was read a third time and passed by the Speaker.

Third reading and final passage

SS HCR 1, establishing a joint task force for the response to the heroin and opioid epidemic in New Hampshire.

UNANIMOUS CONSENT

Rep. Cushing requested Unanimous Consent of the House regarding compassion and dignity for the dying.
Rep. Cushing addressed the House.

MOTION TO PRINT REMARKS

Rep. Hirsch moved that the remarks made by Rep. Cushing be printed in the Permanent Journal.
Motion adopted.

REMARKS

Rep. Cushing: Thank you, Mister Speaker. Mister Speaker, a friend of mine, Linda Horan, was diagnosed with lung cancer on July 29th. She has stage 4 lung cancer and has been given months to live. I was with her two weeks ago at the infusion center at the Norris Cotton Cancer Center at Dartmouth Hitchcock hospital where she was receiving chemotherapy and fusion. Linda has had 5 doctors, all of whom have said that therapeutic cannabis, medical marijuana, would be a benefit for her at this time. Twenty-eight months ago, this legislature passed a law allowing qualified patients to have access to medical marijuana. Since that time there has not been a single card issued by the Department of Health and Human Services to allow someone to have access to therapeutic cannabis. Ironically enough, Linda could have access to opioids to take care of her during her dying days, but as of right now she cannot get medical marijuana. What she wants more than anything else is to live the last few days, weeks, months of her life in something other than a narcotic stupor. She has filed a request for a card to be issued by the Department of Health and Human Services, but for some strange reason and despite what we did 28 months ago, has not been issued a card. What she did though, the week before last, is wheel herself into Merrimack County Superior Court and from her wheelchair, stood up for herself and other patients who need that help that she wants and sued the State of New Hampshire to have the Department of Health and Human Services to do what the legislature has said should be done and that's treat patients with dignity and compassion. Linda Horan, in many ways, is a casualty of the war on drugs and it's time to get patients off the battlefield of the war on drugs. It's time for the State of New Hampshire to issue medical marijuana cards to patients like Linda and everyone else similarly afflicted. Thank you, Mister Speaker.

RECESS

The House recessed at 1:50 p.m.

RECONVENED

The House reconvened at 2:09 p.m.

SENATE MESSAGE
CONCURRENCE

SS HCR 1, establishing a joint task force for the response to the heroin and opioid epidemic in New Hampshire.

MOTION TO ADJOURN

Rep. Hinch moved that the House adjourn.
Motion adopted.

The 2015 Special Session of the House stands adjourned.

OUTSTANDING BILLS

At the time of adjournment from the 2015 session, the following bills remained laid on the table in the House:

HB 112, relative to domicile for voting purposes.

HB 191, relative to projects which are privately financed in energy efficiency and clean energy districts.

HB 241-FN, prohibiting driving while holding an animal in the driver's seat.

HB 263, prohibiting residency restrictions on sex offenders.

HB 303, relative to statewide assessment standards and relative to parental consent for psychological services to students.

HB 349, relative to state buffers for projects requiring wetland permits.

HB 379, establishing a commission to study the effects of ocean acidification on commercially harvested species.

HB 446, relative to access to investigational drugs, biological products, and devices.

HB 457-FN-A, establishing a nurse practitioner position at the veterans' home and making an appropriation therefore.

HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home.

HB 461, prohibiting the use or application of foreign laws in the state court.

HB 496, prohibiting public employers from using criminal history in employment decisions.

HB 516, relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities.

HB 543, repealing the electric renewable portfolio standard.

HB 551, relative to preventing diversion of business income to tax havens.

HB 595, relative to banning abortion after viability.

HB 646, allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law.

HB 647, exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions.

HB 655, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire.

HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program.

HCR 3, applying to Congress to call a convention of states under the United States Constitution.

HR 6, recognizing February 26, 2015, as the 23rd anniversary of the Khojaly Tragedy in Azerbaijan.

HR 12, affirming revenue estimates for fiscal years 2015, 2016, and 2017.

SB 181, relative to registration fees for hunter education programs of the fish and game department.

SB 240, relative to protecting certified public accountants from prosecution or penalty for providing services to alternative treatment centers.

SCR 2, urging Congress to discontinue foreign aid to Argentina until financial disputes are resolved.

At the time of adjournment from the 2015 session, the following bills were not signed off in Committee of Conference.

HB 208-FN, relative to allowance sales under the New Hampshire regional greenhouse gas initiative program.

HB 450, establishing a commission to study and make recommendations for a common definition of employee.

HB 473, requiring the board of managers of the veterans' home to adopt a policy relative to therapeutic use of cannabis by residents of the home.

HB 547, requiring the assessing standards board to make recommendations on the valuation of telecommunications poles and conduits and the assessment of utility property.

SB 8-FN-L, relative to appropriations for nursing homes.

SB 40-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.

SB 57, relative to the membership and governance of condominium unit owners' associations.

SB 108-FN, relative to health care associated infections.

SB 255, establishing a committee to study low-wage workers and their effect on the New Hampshire economy.

At the time of adjournment from the 2015 session, the following bills were retained in committee for House action in the second year of the biennium:

HB 105, relative to special number plates for members of the Civil Air Patrol.

HB 110, relative to placement of political advertising.

HB 114, relative to grocery sales by stores licensed to sell alcoholic beverages.

HB 123, relative to walking disability placards.

HB 128, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies.

HB 131, relative to renewal of health club memberships.

HB 143, relative to electric renewable energy classes.

HB 183, relative to voter registration forms.

HB 197-FN, relative to sales and samples provided by wine manufacturers.

HB 211, establishing a commission to study domestic affairs.

HB 218-FN, relative to additional funding for third grade proficiency in mathematics.

HB 226, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions.

HB 229, relative to increasing the maximum amount of the optional veterans tax credit.

HB 231, relative to applications for school building aid.

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence.

HB 242, relative to the statewide improvement and assessment program.

HB 243, changing the definitions of "focus school" and "priority school" in the school performance and accountability law.

HB 249, relative to the award of alimony and the enforcement of orders under RSA 458.

HB 253, relative to the requirements for filing a charter school application.

HB 266, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions.

HB 280, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans.

HB 288-L, relative to the code for energy conservation in new building construction.

HB 294, establishing a commission to develop a strategic plan for New Hampshire.

HB 295, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities.

HB 297, protecting individual customer data from disclosure by a public utility.

HB 301, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education.

HB 312, relative to registration of voters.

HB 324, relative to membership in a union.

HB 327, relative to investment crowdfunding.

HB 334, relative to the sale of personally identifiable information by Internet service providers.

HB 351, exempting historically significant vehicles from emission control requirements.

HB 356, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters.

HB 359, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction.

HB 366, relative to the alcohol percentage used to classify beverages.

HB 369-FN-A-L, establishing a defined contribution retirement plan for public employees.

HB 372, relative to certain private employers under workers' compensation.

HB 376-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program.

HB 377, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer.

HB 378, relative to shared residential responsibility and establishing a commission to study child support and related child care issues.

HB 385-FN, relative to special motorcycle number plates for disabled veterans.

HB 386-FN-A, reducing the rate of the business profits tax.

HB 388-FN-A, establishing university number plates.
HB 393-FN, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event.
HB 399-FN, establishing a force of state capitol security officers with the authority to carry firearms.
HB 400-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives.
HB 405-FN, requiring the department of health and human services to license supervised visitation centers.
HB 420-FN, relative to limited driving privileges after revocation for certain financial obligations.
HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans.
HB 465, relative to workers' compensation for domestic employees.
HB 466, relative to the definition of "implement of husbandry."
HB 471, relative to the powers of the state board of education and the duties of school boards.
HB 475, prohibiting the state from engaging in acts of civil forfeiture.
HB 477-FN-L, relative to workers' compensation benefits and establishing payment schedules.
HB 488, relative to an abusive work environment and the health and safety of public employees.
HB 499, permitting New Hampshire farmers to sell certain farm raised animals directly to the public.
HB 500, repealing the prohibition on the use of silencing devices for taking wildlife.
HB 501, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces.
HB 504, relative to online driver education.
HB 505, relative to baiting for game birds and game animals by persons with a disability.
HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency.
HB 513, relative to complaint investigation procedures of the guardian ad litem board.
HB 515-FN, relative to oversight of guardians ad litem by the guardian ad litem board.
HB 518, relative to authority to establish fees for licenses issued by the fish and game department.
HB 527, establishing guidelines for school districts relative to the use of school resource officers.
HB 533, relative to arc-fault circuit-breaker protection in residential construction.
HB 535-FN, relative to signs advising motorists approaching highway emergencies.
HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools.
HB 538-FN-L, relative to the implementation of new statewide education annual assessments.
HB 546, relative to exactions for improvements related to innovative land use controls.
HB 549-FN-A-L, allowing school building aid grants for certain authorized projects.
HB 552-FN, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees.
HB 556-FN-L, establishing a cash balance plan for public employees in the retirement system.
HB 562-FN-L, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities.
HB 567-FN, establishing breast cancer and pediatric cancer special number plates.
HB 569-FN-A, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax.
HB 571-FN-A, relative to taxation of trusts under the interest and dividends tax.
HB 581-FN, requiring schools to continue the education of a child during the child's suspension or expulsion.
HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.
HB 583-FN, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefor.
HB 585-FN-A, relative to fines for violation of alcoholic beverage laws.
HB 586-FN-L, relative to registration of automobile utility trailers.
HB 589-FN, relative to prohibited coercion of political contributions.
HB 594-FN-A, establishing keno.
HB 596-FN-L, relative to health insurance plans of public employers.
HB 601-FN, relative to cash dispensing machine requirements.

HB 602-FN, relative to the use of drones.
HB 605-FN, repealing mandatory minimum sentences.
HB 611-FN, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education.
HB 617-FN-A, requiring state police to wear a camera when interacting with the public.
HB 619-FN-L, establishing noise barrier programs and making an appropriation therefor.
HB 625-FN-A, relative to public charter schools.
HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors.
HB 629-FN, relative to induced termination of pregnancy statistics.
HB 630-FN-A, establishing the New Hampshire video lottery.
HB 634-FN-A, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief.
HB 636-FN, relative to forfeiture of property.
HB 659-FN-L, allowing all voters to vote by absentee ballot.
HB 661-FN, relative to record keeping for sold or transferred animals.
HB 668-FN, relative to expense deductions under the business profits tax.
HB 672-FN, establishing a state bank.
HB 688-FN-L, relative to establishing an agricultural education number plate.
SB 7, adding duties to the joint health care reform oversight committee.
SB 45, relative to opioid treatment agreements under workers' compensation law.
SB 58, relative to the United States flag worn as a patch.
SB 64, relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions.
SB 67, establishing a commission to study opioid misuse in New Hampshire.
SB 75, relative to unfair trade practices targeting veterans.
SB 110-FN, establishing the administrative supervision act.
SB 115-FN, relative to the resale of condominium and subdivision time shares.
SB 136, establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.
SB 137, relative to cost-sharing parity for oral anti-cancer therapies.
SB 144, relative to carry-over cover-all bingo.
SB 146, relative to accessory dwelling units.
SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.
SB 157-FN, relative to encouraging high school students to take and pass a United States citizenship test.
SB 178, relative to optometrist participation in vision insurance plans.
SB 203-FN, relative to review of eligibility for workers' compensation.
SB 214-FN, relative to the transfer of skilled nursing facility beds from the Franklin Regional Hospital.
SB 219-FN, relative to breastfeeding.
SB 227, relative to calculating the cost of an adequate education.
SB 238-FN, relative to the workers' compensation appeals board.
SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program.
CACR 2, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund.
CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

At the time of adjournment from the 2015 session, the following House bills remained in Senate Committees:
HB 141, relative to rulemaking authority concerning practice standards and safe and secure operation of pharmacies.
HB 192, relative to the valuation of utility property.
HB 195, relative to continuing care communities.

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions, and applying certain general administration provisions to the mechanical licensing board.
HB 285, relative to discussion with legal counsel under the right-to-know law.
HB 331, relative to absences among selectmen on election day.
HB 346, relative to criminal history records checks for school employees and volunteers.
HB 353, relative to the governance of condominium unit owners' associations.
HB 380, relative to investigations of child day care agencies.
HB 383, relative to the immunization/vaccination registry.
HB 427, relative to the definition of the New Hampshire fire code.
HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee.
HB 463, relative to state agency communications.
HB 502, relative to petitions for verification of checklists.
HB 521, relative to the size of the pool of the workers' compensation appeals board.
HB 529, relative to party conventions.
HB 555, relative to participation of chartered public school students in school district co-curricular activities.
HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses.
HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.
HB 606-FN-L, relative to costs for public records filed electronically.
HB 613, relative to governmental records exempted under the right-to-know law.
HB 628-FN, relative to indemnification of health care facilities under certain circumstances.
HB 645-FN, relative to the licensure and regulation of child day care agencies.
HB 689, relative to adoption of a default budget.

CHAPTERED STUDY COMMITTEE AMENDED

COMMITTEE TO STUDY STATE PROCUREMENT (HB 1331, Chapter 221:4, Laws of 2014). Committee extended by SB 86, Chapter 185:3, Laws of 2015.

STATUTORY COMMITTEES AMENDED

ADVISORY COMMITTEE ON INTERNATIONAL TRADE (RSA 12-A:30). Membership and duties amended by HB 170, Chapter 7:1, Laws of 2015.

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T). Membership added and duties clarified by HB 483, Chapter 238:1, Laws of 2015.

COMMISSION TO STUDY MENTAL HEALTH IMPLEMENTATION IN NEW HAMPSHIRE (RSA 135-C:63-b). Commission extended by HB 455-FN, Chapter 259:33, Laws of 2015.

EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE STUDY COMMITTEE (RSA 487:30). New title and duties added by HB 281, Chapter 164:3, Laws of 2015.

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2). Membership amended by SB 53, Chapter 146:1, Laws of 2015.

JUDICIAL COUNCIL (RSA 494:1). Membership and duties amended by SB 14, Chapter 114:1, Laws of 2015.

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:4). Membership amended by SB 63, Chapter 178:1, Laws of 2015.

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE (RSA 12-A:46). Membership and duties amended by HB 153, Chapter 189:1, Laws of 2015.

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3, I). Membership and duties amended by SB 161, Chapter 117:1, Laws of 2015.

STATUTORY COMMITTEES REINSTATED

COMMISSION TO REVIEW AND CONSIDER ALCOHOLIC BEVERAGE MANUFACTURING PROCESSES AND RETAIL SALES AT MANUFACTURING FACILITIES (RSA 175:10). Revived by HB 429, Chapter 14:1, Laws of 2015.
Sen. Regina Birdsell, appointed by the President of the Senate.
Reps. Peter Hansen, Joseph Hannon and Kermit Williams, appointed by the Speaker of the House of Representatives.
Mike Somers, appointed by the New Hampshire Lodging and Restaurant Association.
Carl Soderberg, representative of a nano brewery licensee, appointed by the Speaker of the House of Representatives.
Brian Ferguson, representative of a liquor manufacturer licensee, appointed by the Speaker of the House of Representatives.
Lewis Eaton, a representative of a wine manufacturer licensee, appointed by the Governor.
Jason Underwood, representative of a rectifier licensee, appointed by the President of the Senate.
Joseph Mollica, designee of the Liquor Commissioner.
Dean Williams, representative of a wholesale distributor licensee, appointed by the President of the Senate.
Alan Cox, a representative of a liquor and wine vendor licensee, appointed by the Governor.

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a). Reinstated by SB 159, Chapter 154:1, Laws of 2015.
Four members, no two of whom shall be from the same County, appointed by the Governor.
Four members, no two of whom shall be from the same County, and one of whom shall be from a family that has been affected by the Department of Children, Youth and Families, appointed by the President of the Senate.
Reps. James Gray, Joe Duarte, Joseph Lachance and Linda Kenison, appointed by the Speaker of the House of Representatives.
Any additional members shall be recommended by the Commissioner and appointed by the Governor and Council.

COMMISSION TO STUDY SOFT TISSUE INJURIES UNDER WORKERS' COMPENSATION AND TO STUDY THE FEASIBILITY OF DEVELOPING A FIRST RESPONDER'S CRITICAL INJURY FUND (RSA 281-A:32-c). Reestablished by SB 186, Chapter 214:1, Laws of 2015.
Sens. Donna Soucy and Russell Prescott, appointed by the President of the Senate.
Reps. William Infantine and Jeffrey Goley, appointed by the Speaker of the House of Representatives.
Walter Maroney, designee of the Commissioner of the Department of Employment Security.
James Craig, Commissioner of the Department of Labor.
Sally MacFadden, designee of the Commissioner of the Department of Insurance.
A representative of a self-funded insurer, appointed by the Governor.
Two public members representing business interests, appointed by the Governor.
Ken Chamberlain, representing labor interests, appointed by the Governor.
A medical professional possessing extensive knowledge of soft tissue injuries, appointed by the Governor.

CHAPTERED STUDY COMMITTEES

HB 134 (Chapter 53:1, Laws of 2015): COMMITTEE TO STUDY THE USE OF MOTORIZED SCOOTER CHAIRS ON ROADWAYS AND SIDEWALKS
Reps. Steven Smith, Karel Crawford, Michael Abbott, G. Thomas Cardon, and Dick Patten, appointed by the Speaker of the House of Representatives.
Sen. Regina Birdsell, appointed by the President of the Senate.

HB 175 (Chapter 8:1, Laws of 2015): COMMITTEE TO STUDY IMPROVING THE EFFICIENCY OF THE FINANCIAL APPROVAL PROCESS FOR HOUSING SUBDIVISIONS USED BY THE DEPARTMENT OF JUSTICE
Reps. William Infantine, Laurie Sanborn, Barbara Biggie, and Kenneth Gidge, appointed by the Speaker of the House of Representatives.
Sen. Sam Cataldo, appointed by the President of the Senate.

HB 206 (Chapter 161:1, Laws of 2015): COMMITTEE TO STUDY NON-ACADEMIC SURVEYS OR QUESTIONNAIRES ADMINISTERED BY A PUBLIC SCHOOL TO ITS STUDENTS

Reps. John Balcom, Barbara Shaw, Kenneth Weyler, Rick Ladd, Mary Gile, and Terry Wolf, appointed by the Speaker of the House of Representatives.

Sen. Kevin Avard, appointed by the President of the Senate.

HB 268 (Chapter 3:1, Laws of 2015): COMMITTEE TO STUDY THE ADOPTION OF LOW-IMPACT HOUSING DEVELOPMENT STANDARDS BY THE DEPARTMENT OF ENVIRONMENTAL SERVICES

Reps. Franklin Sterling, Catherine Cheney, and Jane Beaulieu, appointed by the Speaker of the House of Representatives.

Sen. Sam Cataldo, appointed by the President of the Senate.

HB 361 (Chapter 138:2, Laws of 2015): COMMITTEE TO STUDY THE DEFINITION OF "EMPLOYEE" AND THE APPLICATION OF THAT DEFINITION TO PERSONS WHO WORK EXCLUSIVELY AT HOME VIA THE INTERNET FOR ONLINE BUSINESS ACTIVITIES

Reps. William Infantine, Carl Seidel, Leon Rideout, and Andrew White, appointed by the Speaker of the House of Representatives.

Sen. Gary Daniels, appointed by the President of the Senate.

HB 382 (Chapter 68:1, Laws of 2015): COMMITTEE TO STUDY FACILITATING PRIVATE INVESTMENT IN ENERGY EFFICIENCY AND RENEWABLE ENERGY

Rep. Robert Introne, member of the Committee on Science, Technology and Energy, Rep. John Hunt, member of the Committee on Commerce and Consumer Affairs, Rep. Suzanne Gottling, member of the Committee on Resources, Recreation and Development, and Rep. Richard Barry, member of the Committee on Finance, appointed by the Speaker of the House of Representatives.

Sen. Gerald Little, member of the Energy and Natural Resources Committee, appointed by the President of the Senate.

Rep. David Borden, alternate, appointed by the Speaker of the House of Representatives.

HB 407 (Chapter 232:1, Laws of 2015): COMMITTEE TO STUDY THE CLASSIFICATIONS OF MILITARY VEHICLES AND EQUIPMENT THAT MAY BE PURCHASED BY THE STATE AND ITS POLITICAL SUBDIVISIONS

Reps. Franklin Sterling, David Bickford, James Belanger, and Marjorie Porter, appointed by the Speaker of the House of Representatives.

Sen. Russell Prescott, appointed by the President of the Senate.

HB 486 (Chapter 240:3, Laws of 2015): COMMITTEE TO STUDY THE CREATION OF A SPECIAL VILLAGE DISTRICT IN DANBURY

Rep. Chris Christensen, member of the Committee on Resources, Recreation and Development, Rep. Bruce Tatro, member of the Committee on Municipal and County Government, and Rep. Mark McConkey, member of the Committee on Public Works and Highways, appointed by the Speaker of the House of Representatives.

Sens. Bette Lasky and Jeanie Forrester, appointed by the President of the Senate.

HB 511 (Chapter 15:1, Laws of 2015): COMMITTEE TO STUDY THE FUNDING OF STATE AID GRANTS UNDER RSA 486, RSA 486-A, AND RSA 149-M

Reps. Chris Christensen and Judith Spang, members of the Committee on Resources, Recreation and Development, and Rep. Richard Barry, member of the Committee on Finance, appointed by the Speaker of the House of Representatives.

Sens. Martha Fuller Clark and John Reagan, appointed by the President of the Senate.

HB 519 (Chapter 172:1, Laws of 2015): COMMITTEE TO STUDY POLICIES WHICH IT DETERMINES ARE NECESSARY FOR DYSLEXIC STUDENTS

Reps. David Kidder, James Grenier, Glenn Cordelli, Karen Ebel, John Balcom and Deanna Rollo, appointed by the Speaker of the House of Representatives.

HB 531 (Chapter 197:2, Laws of 2015): COMMITTEE TO STUDY SHORT-TERM RENTALS BY HOMEOWNERS AND OWNERS OF RESIDENTIAL PROPERTIES
Reps. Franklin Sterling, Bruce Tatro, Gene Chandler and Brian Chirichiello, appointed by the Speaker of the House of Representatives.
Sen. Sam Cataldo, appointed by the Senate President.

SB 31 (Chapter 48:10, Laws of 2015): COMMITTEE TO STUDY CERTAIN ISSUES RELATIVE TO THE CONTROLLED DRUG PRESCRIPTION HEALTH AND SAFETY PROGRAM
Sens. Jeb Bradley and Dan Feltes, appointed by the President of the Senate.
Reps. Frank Kotowski, John Fothergill and James MacKay, appointed by the Speaker of the House of Representatives.

SB 41 (Chapter 175:1, Laws of 2015): COMMITTEE TO STUDY GOVERNMENT IMMUNITY FROM SUIT AND ACCOUNTABILITY BY ITS CITIZENS
Sens. Sharon Carson (Chair), Andy Sanborn and Dan Feltes, appointed by the President of the Senate.
Reps. Robert Rowe, Gary Hopper, Claire Rouillard and David Woodbury, appointed by the Speaker of the House of Representatives.

SB 80 (Chapter 116:1, Law of 2015): COMMITTEE TO STUDY THE USE OF ABANDONED RAILROAD BEDS FOR RECREATIONAL PURPOSES
Sen. Nancy Stiles, appointed by the Senate President.
Reps. George Sykes and Brian Chirichiello, appointed by the Speaker of the House of Representatives.

SB 88 (Chapter 184:1, Laws of 2015): COMMITTEE TO STUDY PUBLIC-PRIVATE PARTNERSHIPS FOR INTERMODAL TRANSPORTATION
Sens. Bette Lasky and Gary Daniels, appointed by the President of the Senate.
Reps. Mark McConkey, Sherman Packard and John Cloutier, appointed by the Speaker of the House of Representatives.

SB 92 (Chapter 151:1, Laws of 2015) and HB 304 (Chapter 66:1, Laws of 2015): COMMITTEE TO STUDY PUBLIC ACCESS TO POLITICAL CAMPAIGN INFORMATION
Sens. David Pierce and Regina Birdsell, appointed by the President of the Senate.
Reps. Kathleen Hoelzel, James Belanger, Yvonne Dean-Bailey and Marcia Moody, appointed by the Speaker of the House of Representatives.

SB 99 (Chapter 267:1, Laws of 2015): COMMITTEE TO STUDY ALLOWING THE SAMPLING OF BEER OR WINE AT FARMERS MARKETS
Sen. Dan Feltes, appointed by the President of the Senate.
Reps. Edward Butler and John Hunt, members of the Committee on Commerce and Consumer Affairs, and Reps. Keith Murphy and John Potucek, appointed by the Speaker of the House of Representatives.

SB 99 (Chapter 276:6, Laws of 2015): COMMITTEE TO STUDY POWDERED OR CRYSTALLINE ALCOHOL
Sen. Donna Soucy, appointed by the President of the Senate.
Reps. Edward Butler and John Hunt, (Chair), members of the Committee on Commerce and Consumer Affairs, and Reps. Keith Murphy and John Potucek, appointed by the Speaker of the House of Representatives.

SB 171 (Chapter 155:1, Laws of 2015): COMMITTEE TO STUDY ISSUES CONCERNING PARKING FOR THOSE WITH WALKING DISABILITIES
Sen. Nancy Stiles, appointed by the President of the Senate.
Reps. Stephen Schmidt and Thomas Sherman, members of the Committee on Health, Human Services and Elderly Affairs, Rep. Steven Smith, member of the Committee on Transportation, and Rep. Catherine Cheney, member of the Committee on Municipal and County Government, appointed by the Speaker of the House of Representatives.

SB 173 (Chapter 34:1, Laws of 2015): COMMITTEE TO STUDY THE FEASIBILITY OF A CLUB ASSISTANCE PROGRAM FOR OFF HIGHWAY RECREATIONAL VEHICLES (OHRVs)
Sen. Gary Daniels, appointed by the President of the Senate.
Reps. John Mullen and Thomas Walsh, appointed by the Speaker of the House of Representatives.

SB 208 (Chapter 37:1, Laws of 2015): COMMITTEE TO STUDY LIMITING THE SULFUR CONTENT OF LIQUID FUELS
Sen. Jeb Bradley, appointed by the President of the Senate.
Reps. Herbert Richardson, William Baber, Robert Introne and James Devine, appointed by the Speaker of the House of Representatives.

SB 213-FN-A-L (Chapter 181:1, Laws of 2015): COMMITTEE TO STUDY THE FORMULA FOR DISTRIBUTION OF MEALS AND ROOMS TAX REVENUES
Sen. Nancy Stiles (Chair), appointed by the President of the Senate, and Sen. Martha Fuller Clark, appointed by the Senate Minority Leader.
Reps. Norman Major and Patrick Abrami, appointed by the Speaker of the House of Representatives, and Rep. Susan Almy, appointed by the House Minority Leader.

SB 234 (Chapter 81:1, Laws of 2015): COMMITTEE TO STUDY THE USE OF LAW ENFORCEMENT DETAILS AND FLAGGERS FOR TRAFFIC CONTROL ON MUNICIPALLY MAINTAINED ROADS
Sen. Jeb Bradley, appointed by the President of the Senate.
Reps. Chris True, Neal Kurk and Alan Cohen, appointed by the Speaker of the House of Representatives.

SB 242-L (Chapter 182:1, Laws of 2015): COMMITTEE TO STUDY METHODS OF ADOPTING OF A FINAL BUDGET IN TOWNS THAT HAVE ADOPTED OFFICIAL BALLOT VOTING
Sen. Nancy Stiles, appointed by the President of the Senate.
Reps. Kathleen Hoelzel (Chair), Bruce Tatro and James Belanger, appointed by the Speaker of the House of Representatives.

SB 252 (Chapter 108:1, Laws of 2015): COMMITTEE TO STUDY CREATING A NUMBER PLATE COMMEMORATING LACONIA MOTORCYCLE WEEK
Sen. Andrew Hosmer, appointed by the President of the Senate.
Reps. Russell Dumais, Sherman Packard and Pamela Brown, appointed by the Speaker of the House of Representatives.

SB 254 (Chapter 257:1, Laws of 2015): COMMITTEE TO STUDY THE ADEQUACY AND SAFETY OF SERVICES TO THE PUBLIC THROUGH UBER AND EXISTING TAXI SERVICES
Sen. Donna Soucy, appointed by the President of the Senate.
Reps. James Belanger, Steven Smith, John Hunt and Edward Butler, appointed by the Speaker of the House of Representatives.

STATUTORY STUDY COMMITTEES

RSA 4:9-1 (HB 119, Chapter 119:1, Laws of 2015): JOHN G. WINANT MEMORIAL COMMISSION
Rep. Stephen Shurtleff, appointed by the Speaker of the House of Representatives.
Four members of the general public, appointed by the Governor.

RSA 6:12-i (HB 333, Chapter 192:1, Laws of 2015): JOINT COMMITTEE ON DEDICATED FUNDS
Reps. Norman Major and Susan Almy, members of the Committee on Ways and Means, and Rep. Neal Kurk, member of the Committee on Finance, appointed by the Speaker of the House of Representatives.
Reps. Mary Jane Wallner and Lynne Ober, alternates, appointed by the Speaker of the House of Representatives.
Sen. David Boutin, member of the Committee on Ways and Means, and Sen. Gerald Little, appointed by the President of the Senate.
Sen. Andrew Hosmer, alternate, appointed by the President of the Senate.

RSA 19-A:14 (HB 279, Chapter 122:1, Laws of 2015): COMMISSION TO STUDY THE ECONOMIC IMPACT OF THE ARTS AND CULTURE IN NEW HAMPSHIRE
Rep. Kenneth Gidge, member of the Committee on Commerce and Consumer Affairs, Rep. David Danielson, member of the Committee on Finance, and Rep. Frederick Rice, appointed by the Speaker of the House of Representatives.

Sen. Martha Fuller Clark, appointed by the President of the Senate.
One member of the State Council on the Arts, appointed by the council.
Victoria Cimino, Director of Travel and Tourism Development.
Ginnie Lupi, Division of the Arts, Michael York, Division of Libraries, Elizabeth Muzzey, Division of Historical Resources, and Daniel Berube, New Hampshire Film and Television Commission, appointed by the Commissioner of the Department of Cultural Resources.
One member from the Board of Directors of New Hampshire Citizens for the Arts, appointed by the President of the organization.
One member from the Board of Directors of the New Hampshire Preservation Alliance, appointed by the organization.
One member from the Board of Trustees of the League of New Hampshire Craftsmen, appointed by the President of the Board of Trustees of the organization.
One member from the Board of Trustees of the New Hampshire Historical Society, appointed by the organization.
Peter Ramsey, representative of the performing arts, appointed by the Governor.
Susan Strickler, representative of New Hampshire art museums, appointed by the Governor.
Lawrence Yerdon, representative of New Hampshire history museums, appointed by the Governor.

RSA 21-J:48 (HB 460, Chapter 261:1, Laws of 2015): COMMISSION TO STUDY REVENUE ALTERNATIVES TO THE ROAD TOLL FOR ELECTRIC-POWERED AND HYBRID VEHICLES FOR THE FUNDING OF IMPROVEMENTS TO THE STATE'S HIGHWAYS AND BRIDGES

Reps. Edmond Gionet, John Cloutier and Erin Hennessey, members of the Committee on Public Works and Highways, and Rep. Norman Major, member of the Committee on Ways and Means, appointed by the Speaker of the House of Representatives.
Sen. David Watters, appointed by the President of the Senate.
Carollynn Ward, designee of the Commissioner of the Department of Revenue Administration.
The Commissioner of the Department of Safety, or designee.
Rebecca Ohler, designee of the Commissioner of the Department of Environmental Services.
Patrick McKenna, designee of the Commissioner of the Department of Transportation.

RSA 273-A:0-b (SB 9, Chapter 274:20, Laws of 2015): LEGISLATIVE OVERSIGHT COMMITTEE ON EMPLOYEE RELATIONS

Five members of the Senate, appointed by the Senate President.
Five members of the House of Representatives, appointed by the Speaker of the House of Representatives.

RSA 21-P:48, IV (SB 46, Chapter 176:4, Laws of 2015): STATEWIDE INTEROPERABILITY EXECUTIVE COMMITTEE (SIEC)

The Commissioner of the Department of Safety, or designee, who shall serve as Chair.
The Statewide Interoperability Coordinator, who shall serve as ex-officio member.
The Director of the Division of Homeland Security and Emergency Management, or designee.
Chief Nick Willard from Manchester, and Chief Mark Doyle from Merrimack, of the New Hampshire Association of Chiefs of Police.
Two representatives of the New Hampshire Association of Fire Chiefs, one of whom serves as Fire Chief for a city and one of whom serves as Fire Chief for a town.
A representative of a charitable organization that provides disaster relief, appointed by the Commissioner.
Rep. Karen Umberger, appointed by the Speaker of the House of Representatives.
Sen. Lou D'Allesandro, appointed by the President of the Senate.
Mark Proulx, appointed by the Professional Fire Fighters of New Hampshire.
Sheriff Craig Wiggin, appointed by the New Hampshire Sheriff's Association.
Keith Rodenhiser, designee of the State Fire Marshall.
One member of the New Hampshire Police Association, appointed by the association.
Deborah Yeager, of the New Hampshire Hospital Association, appointed by the association.
A local emergency medical services provider, appointed by the Commissioner.
A local public health official, appointed by the Commissioner.
A local public works official, appointed by the Commissioner.
Phillip Tirrell, appointed by the New Hampshire Emergency Dispatchers Association.

One representative of a major public safety dispatch center, appointed by the Commissioner.
Michael Connor, Deputy Commissioner, designee of the Commissioner of the Department of Administrative Services.
Lt. Jim Juneau, designee of the Executive Director of Fish and Game.
David Chase, designee of the Commissioner of Transportation.
Carol Miller, designee of the Commissioner of Resources and Economic Development.
Richard Cricenti, designee of the Commissioner of Health and Human Services.
The Director of Emergency Services and Communications, or designee.
Paul Dean, of the University System of New Hampshire, appointed by the Chancellor of the University System.
LTC Barry Groton, Jr., designee of the Adjutant General.
Not more than two representatives of technology-related businesses in the private sector, appointed by the Commissioner.

RSA 99-D:10 (SB 96, Chapter 77:1, Laws of 2015): COMMISSION TO STUDY THE EXPANSION OF RIGHTS OF DEFENSE AND INDEMNIFICATION UNDER RSA 99-D TO PROCEEDINGS AGAINST STATE EMPLOYEES BEFORE PROFESSIONAL LICENSING BOARDS
Sen. Lou D'Allesandro, appointed by the President of the Senate.
Reps. Peter Hansen, Andrew Christie and Peter Schmidt, appointed by the Speaker of the House of Representatives.
Anne Edwards, designee of the Attorney General.
Vicki Quiram, designee of the Commissioner of Administrative Services.
David Ruoff, Esq., appointed by the New Hampshire Bar Association.
Ronald Cook, Esq., a member of a professional licensing board, appointed by the Governor.
Richard Gulla, appointed by the State Employee's Association of New Hampshire.

RSA 105:13-c (SB 72, Chapter 150:1, Laws of 2015): COMMISSION TO STUDY THE USE OF POLICE PERSONNEL FILES AS THEY RELATE TO THE LAURIE LIST
Sen. Sharon Carson, appointed by the President of the Senate.
Reps. Shawn Sweeney, Claire Rouillard and Frank Heffron, appointed by the Speaker of the House of Representatives.
Susan Morrell, designee of the Attorney General.
One County Attorney, appointed by the New Hampshire Association of Counties.
Sheriff Eli Rivera, appointed by the New Hampshire Sheriff's Association.
Stephanie Hausman, appointed by the New Hampshire Public Defender.
Robin Melone, appointed by the New Hampshire Association of Criminal Defense Lawyers.
Chief William Hart, appointed by the New Hampshire Association of Chiefs of Police.
Marta Modigliani, designee of the Commissioner of the Department of Safety.
Timothy King, appointed by the New Hampshire Police Association.
Judge William Delker, appointed by the Chief Justice of the Superior Court.
Judge Edward Gordon, appointed by the Chief Justice of the Circuit Court.
Gilles Bissonnette, designee of the Director of the American Civil Liberties Union of New Hampshire.
A Victim/Witness Advocate, appointed by the Director of the Office of Victim/Witness Assistance.

RSA 126-A:68 (SB 56, Chapter 147:2, Laws of 2015): COMMISSION TO STUDY OVERSIGHT, REGULATION, AND REPORTING OF PATIENT SAFETY AND INFECTIOUS DISEASE PREVENTION, AND CONTROL ISSUES IN HEALTH CARE SETTINGS
Sen. Sharon Carson, appointed by the President of the Senate.
Reps. Cindy Rosenwald, Thomas Sherman and Frank Kotowski, appointed by the Speaker of the House of Representatives.
Katrina Hansen, designee of the Director of the Division of Public Health Services, Department of Health and Human Services.
The Bureau Chief for the Bureau of Health Facilities Administration, Department of Health and Human Services, or designee.
Charles Albee, DMD, appointed by the New Hampshire Board of Dental Examiners.
Sarah Blodgett, appointed by the New Hampshire Board of Medicine.
Sherrie Palmieri, appointed by the New Hampshire Board of Nursing.
Michael Dupuis, R.PH., MHA, appointed by the New Hampshire Board of Pharmacy.

A representative from the New Hampshire Board of Podiatry, appointed by the Board.
Anne Diefendorf, appointed by the New Hampshire Foundation for Healthy Communities.
Lori Key, MBA, RN, appointed by the New Hampshire Hospital Association.
Everett Lamm, MD, appointed by the New Hampshire Medical Society.
A dentist from the New Hampshire Dental Society, appointed by the Society.
A representative from the New Hampshire Ambulatory Surgery Center Association, appointed by the Association.
Anne Nolan, RN, MSN, CIC, appointed by the New Hampshire Infection Control and Epidemiology Professionals.
A representative of a nursing home facility, appointed by the New Hampshire Health Care Association.
Two public members, at least one of whom shall be an independent office-based health care practitioner, appointed by the Governor.
An APRN, appointed by the New Hampshire Nurse Practitioner Association.

RSA 130-A:19 (SB 135-FN, Chapter 250:6, Laws of 2015): CHILDHOOD LEAD POISONING PREVENTION AND SCREENING COMMISSION

Sen. Dan Feltes, appointed by the President of the Senate.
Rep. Frank Kotowski, appointed by the Speaker of the House of Representatives.
Beverly Drouin, designee of the Commissioner of the Department of Health and Human Services.
Christina Lavallee, designee of the Executive Director of the New Hampshire Housing Finance Authority.
Arthur Capello, municipal health official with knowledge and experience in childhood lead poisoning prevention, appointed by the New Hampshire Municipal Association.
Municipal health official with knowledge and experience in childhood lead poisoning prevention, appointed by the Governor.
A landlord owning 10 or fewer rental units, with experience owning and renting pre-1978 rental housing, appointed by the Speaker of the House of Representatives.
A landlord owning more than 10 and fewer than 50 rental units, with experience owning and renting pre-1978 rental housing, appointed by the Senate President.
A landlord owning more than 50 rental units, with experience owning and renting pre-1978 rental housing, appointed by the Apartment Association of New Hampshire.
Debbie Valente, appointed by the New Hampshire Property Owners Association.
An owner of a licensed child care facility located in a pre-1978 building, appointed by the Governor.
William McKinney, appointed by the New Hampshire Building Officials Association.
William Storo, MD, appointed by the New Hampshire Pediatric Society.
John DeJoie, appointed by the Director of New Hampshire Kids Count.
Elliott Berry, appointed by the Director of Housing Action New Hampshire.
Sarah Blodgett, a pediatric physician licensed under RSA 329, appointed by the New Hampshire Board of Medicine.
A pediatric health care provider, appointed by the New Hampshire Board of Medicine.
Tom Irwin, Esq., a public member, appointed by the Governor.
Betsey Andrews Parker, a public member, appointed by the Speaker of the House of Representatives.
John Schneller, a public member, appointed by the President of the Senate.

RSA 162-C:12 (SB 38, Chapter 174:1, Laws of 2015): COMMISSION TO DEVELOP A LAND CONSERVATION PLAN

Sen. Martha Fuller Clark, appointed by the President of the Senate.
Rep. Chris Christensen, member of the Committee on Resources, Recreation and Development, appointed by the Speaker of the House of Representatives.
Nicholas Coates, appointed by the New Hampshire Association of Conservation Commissions to represent municipal conservation interests.
David Patrick of the Nature Conservancy, Matt Leahy, of the Society for the Protection of New Hampshire Forests, and Jeanie McIntyre of the Upper Valley Land Trust, representatives of statewide or regional conservation organizations, appointed by the Governor.
One person representing business and industry, appointed by the Business and Industry Association.
Theodore Tichy, representing hunting, fishing, and other outdoor recreation, appointed by the Fish and Game Commission.

Mary Beth Rudolph, representing real estate interests, appointed by the New Hampshire Association of Realtors.
One member of the New Hampshire Farm Bureau Federation, appointed by that organization.
Jasen Stock, representing the forest products industry, appointed by the New Hampshire Timberland Owners Association.

RSA 169-C:39-k (SB 244, Chapter 127:4, Laws of 2015): COMMISSION TO REVIEW CHILD ABUSE FATALITIES
Sen. David Boutin, appointed by the President of the Senate.
Reps. Joseph Guthrie, Donald LeBrun and Lucy Weber, appointed by the Speaker of the House of Representatives.
One representative of the Office of the Governor, appointed by the Governor.
Rebecca Woodard, designee of the Attorney General.
Mary Ann Cooney, designee of the Commissioner of the Department of Health and Human Services.
One representative of New Hampshire Kids Count, appointed by that organization.
Amanda Grady Sexton, appointed by the New Hampshire Coalition against Domestic and Sexual Violence.
One representative of the New Hampshire Child Fatality Review Committee, established by executive order number 95-1, appointed by the Committee.
Borja Alvarez de Toledo, appointed by Child and Family Services of New Hampshire.
One representative of the New Hampshire Children's Trust, appointed by that organization.

RSA 186-C:30 (HB 126, Chapter 120:1, Laws of 2015): COMMISSION TO STUDY ISSUES RELATED TO STUDENTS RECEIVING SPECIAL EDUCATION SERVICES WHILE ATTENDING A CHARTERED PUBLIC SCHOOL
Reps. Rick Ladd and Mary Gorman, members of the Committee on Education, and Rep. Kenneth Weyler, member of the Committee on Finance, appointed by the Speaker of the House of Representatives.
Sen. John Reagan, appointed by the President of the Senate.
The Commissioner of the Department of Education, or designee.
Meryl Levin, Karin Cevasco and Beth McClure, M.Ed., members involved with the management or operation of a chartered public school, appointed by the Governor.
Heather E. Tyler, Christopher O'Reilly and Lisa Witte, members with a child attending a chartered public school, appointed by the Governor.
Jennifer Pomykato, appointed by the New Hampshire School Administrators Association.
P. Alan Pardy, appointed by the New Hampshire Association of Special Education Administrators.
Chris Rueggeberg, appointed by the New Hampshire Council on Developmental Disabilities.
Michael Skibble, Esq., appointed by the Disabilities Rights Center-NH.
Gerald Zelin, appointed by the New Hampshire Council of School Attorneys.
Lauren Rhim, appointed by the New Hampshire Public Charter School Association.
One member from the New Hampshire School Boards Association, appointed by the Association.
Bonnie Dunham, appointed by the Parent Information Center.
Christina D'Allesandro, parent of a child who is disabled, appointed by the Governor.
Paloma Sylvan, parent of a school-age child, appointed by the Governor.

RSA 188-E:10-b (SB 190-FN, Chapter 252:10, Laws of 2015): ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION
Sen. David Watters, appointed by the President of the Senate.
Reps. Mary Gile and Rick Ladd, appointed by the Speaker of the House of Representatives.
Timothy Carney, State Director of Career and Technical Education.
Michael Power, designee of the Commissioner of the Department of Resources and Economic Development.
The Chancellor of the Community College System, or designee.
Three CTE Directors, one member of a School Board, and one SAU Administrator, appointed by the Commissioner of Education.
A representative of the Business and Industry Association of New Hampshire, appointed by the Association.
Three representatives of skilled trades or businesses related to CTE programs, appointed by the Commissioner of Education.

RSA 195-J:2 (HB 577-FN-A-L, Chapter 271:2, Laws of 2015): CHILDREN'S SAVINGS ACCOUNT PROGRAM COMMISSION

Reps. Rick Ladd and Mary Gile, appointed by the Speaker of the House of Representatives.
Sen. Kevin Avard appointed by the President of the Senate.
Bill Dwyer, New Hampshire State Treasurer.
Edward MacKay, Director of the Division of Higher Education, Department of Education.
Cathy Provencher, designee of the Chairperson of the University System of New Hampshire Board of Trustees.
Stephanie Smith, designee of the Director of the New Hampshire Financial Literacy Education Program.
One member from a community philanthropic organization, appointed by the Governor.
Keryn Bernard-Kriegl, representing the interests of the New Hampshire Children's Trust Fund, appointed by the Governor.
Rene Drouin, appointed by the New Hampshire Higher Education Assistance Foundation.
One member from the Coos Coalition for Young Children and Families, appointed by that organization.
One member representing the Federal Reserve Bank of Boston, appointed by the bank.
One member representing the New Hampshire Community Loan Fund, appointed by that organization.

RSA 227-C:12-a (SB 20-FN-L, Chapter 115:1): COMMISSION ON HISTORIC BURYING GROUNDS

Sen. David Watters, appointed by the President of the Senate.
Reps. Peter Varney, James Belanger and Marjorie Porter, appointed by the Speaker of the House of Representatives.
One member of a historic district commission, appointed by the Governor.
One member of a local historical society, appointed by the Governor.
The chairperson of the New Hampshire Preservation Alliance, or designee.
The chairperson of the New Hampshire Historical Society, or designee.
The Commissioner of the Department of Cultural Resources, or designee.
Richard Boisvert, designee of the Director of the Division of Historic Resources.
One representative of the New Hampshire Commission on Native American Affairs, appointed by that Commission.
The Executive Director of the New Hampshire Municipal Association, or designee.
The President of the New Hampshire Old Graveyard Association, or designee.
Terry Knowles, appointed by the New Hampshire State Organization Daughters of the American Revolution.
Peter Morin, appointed by the New Hampshire Funeral Directors Association.
A member of a cemetery commission or a cemetery trustee, appointed by the Governor.
The Roman Catholic Bishop of Manchester, or designee.

RSA 318:16-c (HB 190, Chapter 190:2, Laws of 2015): COMMISSION TO STUDY THE STANDARDS FOR COLLABORATIVE PHARMACY PRACTICE

Sen. Molly Kelly, appointed by the President of the Senate.
Reps. James MacKay and Stephen Schmidt, members of the Committee on Health, Human Services and Elderly Affairs, and Rep. John Sytek, member of the Committee on Executive Departments and Administration, appointed by the Speaker of the House of Representatives.
Kerri Johnson, appointed by the New Hampshire Society of Health-System Pharmacists.
Cheryl Durand, appointed by the New Hampshire Pharmacists Association.
Michael Dupuis, R.PH., MHA, appointed by the New Hampshire Board of Pharmacy.
James Glass, appointed by the Coalition of New Hampshire Chain Drug Stores.
Kate Langlais-McNutt, appointed by the New Hampshire Independent Pharmacy Association.
A provider from a healthcare facility that is currently participating in a collaborative practice agreement approved by the Board of Pharmacy, appointed by the Board.
Linda Horton, appointed by the New Hampshire Board of Pharmacy.
Rob Glew, appointed by the New Hampshire Hospital Association.
John Butterly, MD, appointed by the New Hampshire Medical Society.
Nancy Wiggin, appointed by the Board of Nursing.
Mary-Beth Gardner, appointed by the New Hampshire Nurse Practitioners Association.
A member who is a family physician, appointed by the Board of Medicine.
A member who is an internist, appointed by the Board of Medicine.

RSA 322-A:1 (HB 510, Chapter 72:1, Laws of 2015): COMMISSION TO STUDY THE REGULATION OF PAWNBROKERS, SECONDHAND DEALERS, AND JUNK OR SCRAP METAL DEALERS

Sen. Jeff Woodburn, appointed by the President of the Senate.
Reps. Jeffrey Goley, John Sytek and Sherman Packard, appointed by the Speaker of the House of Representatives.
Detective Brendan Gleason, representing law enforcement from a municipality in which a pawnshop and secondhand shop are located, appointed by the President of the Senate.
Detective Corporal Nate Buffington, appointed by the New Hampshire Association of Chiefs of Police.
A county attorney with experience in property crimes, appointed by the Governor.
Russell Abbott, representing the pawnbroker industry, appointed by the President of the Senate.
Craig Salvucci, representing the secondhand dealer industry, appointed by the Speaker of the House of Representatives.
One representative of the coin dealer industry who transacts business with the general public, appointed by the President of the Senate.
Richard Bojko, representing the antique dealer industry, who transacts business with the general public, appointed by the Speaker of the House of Representatives.
One representatives of the scrap metal dealer industry, appointed by the President of the Senate.
One representative of the scrap metal dealer industry, appointed by the Speaker of the House of Representatives.
One member of the construction industry in New Hampshire, appointed by the President of the Senate.
Bruce Crawford, member of the Auto and Truck Recyclers Association of New Hampshire, appointed by the Speaker of the House of Representatives.

RSA 374-F:4-a (SB 60, Chapter 148:1, Laws of 2015): COMMISSION TO INVESTIGATE IMPLEMENTATION OF DECOUPLING FOR NEW HAMPSHIRE

Sen. Jeb Bradley, appointed by the President of the Senate, and Sen. Martha Fuller Clark, appointed by the Senate Minority Leader.
Rep. Robert Introne, appointed by the Speaker of the House of Representatives, and Rep. William Baber, appointed by the House Minority Leader.
Thomas Frantz, designee of the Chairperson of the Public Utilities Commission.
Paul Ramsey, a representative of Public Service Company of New Hampshire, appointed by the President of that Company.
Mark Lambert, a representative of Unitil, appointed by the President of that Company.
Stephen Hall, appointed by Liberty Utilities.
Molly Connors, designee of the Director of the Office of Energy and Planning.
Susan Chamberlin, Consumer Advocate.
Carmen Lorentz, designee of the commissioner of the Department of Resources and Economic Development.
Kate Espen, of the New Hampshire Sustainability Energy Association, appointed by the Governor.

RSA 400-A:67 (HB 330, Chapter 227:1, Laws of 2015): OVERSIGHT COMMISSION IN MEDICAL COST TRANSPARENCY

Reps. Charles McMahon, James MacKay and Stephen Schmidt, appointed by the Speaker of the House of Representatives.
Andy Sanborn, appointed by the President of the Senate.
Tyler Brannen, designee of the Insurance Commissioner.
Doris Lotz, MD, designee of the Commissioner of the Department of Health and Human Services.
Two public members who shall represent New Hampshire patients, appointed by the Governor.
Ellen Cimon, appointed by the New Hampshire Hospital Association.
Richard Lafleur, MD, appointed by the New Hampshire Medical Society.
One member representing the private health insurance industry, appointed by the Governor.
One member representing a self-funded workers' compensation trust, appointed by the Governor.
A licensed physician who provides care for workers' compensation patients, appointed by the Governor.

RESIGNATIONS, DEATHS, SPECIAL ELECTIONS

RESIGNED

01/03/2015	Rock. 32	Dobson, Brian F., r
02/11/2015	Rock. 13	Howe, Ann, r
04/15/2015	Rock. 20	Sweeney, Dennis, r
12/14/2015	Rock. 21	Wood, David, r

DECEASED

06/22/2015	Straf. 01	Parsons, Robbie, r

DECLARED VACANCIES

12/14/2015	Rock. 21

SPECIAL ELECTIONS

05/06/2015	Rock. 13	Green, Dennis, r
06/03/2015	Rock. 32	Dean-Bailey, Yvonne, r
08/05/2015	Rock. 20	Tilton, Rio, r
11/18/2015	Straf. 01	Graham, Robert V. Sr., r

PARTY BREAKDOWN ON THE 400 SEATS

Republicans:	238 R	0 R&D	=	238
Democrats:	161 D	0 D&R	=	161
Currently elected and qualified:			=	399
Vacancies: Resignations 4, Special Elections 4, Deceased 1			=	001
Total Seats:			=	400

Men: 290, Women: 109

TABLE OF REFERENCES
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2	HB 467-FN	55	HB 140	108	SB 252
3	HB 268	56	HB 146	109	SB 258-FN
4	HB 107	57	HB 147	110	HB 354
5	HB 135	58	HB 149	111	HB 559-FN
6	HB 166-L	59	HB 155	112	HB 621-FN
7	HB 170	60	HB 162	113	SB 78
8	HB 175	61	HB 178	114	SB 14
9	HB 177-FN	62	HB 184	115	SB 20-FN-L
10	HB 217-FN	63	HB 196	116	SB 80
11	HB 259	64	HB 223-FN	117	SB 161
12	HB 260	65	HB 271	118	SB 236-FN
13	HB 275	66	HB 304	119	HB 119
14	HB 429	67	HB 306	120	HB 126
15	HB 511	68	HB 382	121	HB 205-L
16	HB 534	69	HB 416-L	122	HB 279
17	SB 12	70	HB 480	123	HB 336
18	SB 43	71	HB 507	124	HB 607
19	SB 44	72	HB 510	125	HB 610
20	SB 71	73	HB 644-FN	126	SB 98
21	SB 91	74	HB 648-FN	127	SB 244
22	SB 94	75	SB 11	128	HB 520
23	SB 103	76	SB 21	129	HB 102
24	SB 166	77	SB 96	130	HB 130
25	HB 310	78	SB 114-FN	131	HB 158
26	SB 16	79	SB 209-FN	132	HB 171
27	SB 33	80	SB 230-FN	133	HB 180
28	SB 48	81	SB 234	134	HB 198
29	SB 54	82	SB 250	135	HB 255-FN
30	SB 65	83	HB 193	136	HB 322
31	SB 143	84	HB 200	137	HB 329
32	SB 168	85	HB 201	138	HB 361
33	SB 172	86	HB 254	139	HB 418
34	SB 173	87	HB 308	140	HB 422-FN
35	SB 182	88	HB 326	141	HB 522
36	SB 183	89	HB 362	142	HB 664-FN
37	SB 208	90	HB 423	143	SB 22
38	SB 222-FN	91	HB 478	144	SB 23
39	SB 259-FN-L	92	HB 481	145	SB 49
40	SB 47	93	HB 482	146	SB 53
41	SB 195-FN	94	HB 492	147	SB 56
42	HB 363	95	HB 497	148	SB 60
43	HB 408	96	HB 503	149	SB 62
44	SB 187	97	HB 523	150	SB 72
45	SB 194-FN	98	HB 526	151	SB 92
46	SB 231	99	HB 545	152	SB 134-FN
47	SB 30-FN-L	100	HB 604	153	SB 153
48	SB 31	101	SB 70	154	SB 159
49	HB 108-FN	102	SB 90	155	SB 171
50	HB 109-FN-L	103	SB 148	156	SB 93-FN-A
51	HB 118	104	SB 154	157	HB 122
52	HB 121	105	SB 243	158	HJR 2-A
53	HB 134	106	SB 249	159	HB 133

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161	HB 206
162	HB 233
163	HB 258-FN-L
164	HB 281
165	HB 290
166	HB 328
167	HB 344
168	HB 347
169	HB 381-FN
170	HB 415
171	HB 498
172	HB 519
173	SB 35
174	SB 38
175	SB 41
176	SB 46
177	SB 50
178	SB 63
179	SB 73
180	SB 202-FN
181	SB 213-FN-A-L
182	SB 242-L
183	HB 187
184	SB 88
185	SB 86
186	HB 212
187	SB 55
188	SB 223-FN
189	HB 153
190	HB 190
191	HB 292
192	HB 333
193	HB 451
194	HB 472
195	HB 476-FN
196	HB 493
197	HB 531
198	HB553-FN
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202	SB 29-FN
203	SB 104-FN
204	SB 106-FN
205	SB 111
206	SB 112
207	SB 119
208	SB 125-FN
209	SB 132-FN
210	SB 133-FN
211	SB 145
212	SB 160
213	SB 163
214	SB 186
215	SB 189
216	SB 211-FN
217	SB 241
218	HB 270
219	HB 614-FN
220	HB 25-FN-A
221	SB 221-FN
222	HB 115
223	HB 225
224	HB 230
225	HB 309
226	HB 323
227	HB 330
228	HB 358
229	HB 364
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248	SB 120-FN
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252	SB 190-FN
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254	SB 192-FN
255	SB 232-FN-A
256	SB 235
257	SB 254
258	HB 666-FN
259	HB 455-FN
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262	HB 468-FN
263	HB 508
264	HB 572-FN-L
265	HB 599
266	HB 662-FN-L
267	SB 99
268	SB 170
269	HB 219-FN
270	HB 142
271	HB 577-FN-A-L
272	SB 188-FN
273	SB 266-FN
274	SB 9-FN-A-L
275	HB 1-A
276	HB 2-FN-A-L

2015
HOUSE JOURNAL
NUMERICAL INDEX

This index, arranged by bill and resolution numbers, gives page numbers for all action in the House on each numbered bill and resolution. They are listed in the following order:

HA	House Address
HB	House Bill
HCO	House Concurrent Order
HCR	House Concurrent Resolution
HJR	House Joint Resolution
HR	House Resolution
SB	Senate Bill
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
CACR	Constitutional Amendment Concurrent Resolution

To find a bill by its subject see the Subject Index immediately following this NUMERICAL Index. All matters not relating to bills and resolutions will be found in the Subject Index.

The abbreviations listed below are used in the Numerical Index:

adop	adopted
am	amended, amendment
Com	rereferred to committee
conc	concurred, concurrence
conf	conference committee
Criminal Justice	referred to Criminal Justice and Public Safety committee
enr	enrolled
Exec Depts	referred to Executive Departments and Administration committee
Finance	referred to Finance committee
intro	introduced, introduction
IP	indefinitely postponed
K	killed (Inexpedient to Legislate)
LT	laid on the table
nonconc	nonconcurred
opin	opinion
psd	passed
RC	roll call
rcmt	recommitted
recon	reconsideration, reconsidered
rej	rejected
rem	removed from the consent calendar
rep	report
req	requests, requested
ret	retained
S	Senate
SO	special order
study	referred to interim study committee
vac	vacate
Ways and Means	referred to Ways and Means committee
wthd	withdrawn

2015 SESSION
HOUSE ADDRESSES

HA 1, for the removal of certain state officials in the department of education. (L. Christiansen, Hills 37: Education)
56, LT rej & K 227

2015 SESSION
HOUSE BILLS

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2016 and June 30, 2017. (Kurk, Hills 2: Finance)
suspend House Rules 93, intro 205-206, am (6 RCs) 691-715, conflict of interest declaration 715, psd (RC) 715-718, nonconc S am, conf 994, 1017, conferee change 997, 1021, rep adop (RC) 1041-1044, enr am 1067, enr 1070, veto override (RC) 1118-1121, 1124 (Chapter 275)

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. (Kurk, Hills 2: Finance)
suspend House Rules 93, intro 205-206, SO & am (9 RCs) 569-686, debate printed rej 654, psd (RC) 686-689, 718, recon rej (RC) 689-691, nonconc S am, conf 994, 1017, conferee change 997, 1021, rep adop (RC) 1044-1047, enr am 1068-1070, enr 1070, veto override (RC) 1122-1124 (Chapter 276)

HB 25-FN-A, making appropriations for capital improvements. (Chandler, Carr 1: Public Works and Highways)
suspend House Rules 93, intro 205-206, am 557-569, psd 718, nonconc S am, conf 835, 993, rep adop 1050, enr am 1071-1072, enr 1074 (Chapter 220)

B 26 - HB 100 – *not introduced.*

B 101, relative to prescription refills. (D. McGuire, Merr 21; et al: Health, Human Services and Elderly Affairs)
30, rem 94, K (RC) 123-125

102, relative to consideration of warrant articles. (J. Belanger, Hills 27; et al: Municipal and County Government)
30, psd 80, 91, S conc 827, enr 991 (Chapter 129)

03, limiting the capabilities of wireless communication devices in motor vehicles. (J. Belanger, ills 27: Science, Technology and Energy)
), K 81

4, prohibiting placement at the Sununu Youth Services Center under the child protection act. deout, Coos 7; et al: Health, Human Services and Elderly Affairs)
K 152

H relative to special number plates for members of the Civil Air Patrol. (Notter, Hills 21; Transportation)
t 1142

H lative to marital assets in divorce proceedings. (Flanagan, Hills 26; et al: Judiciary)
79

H ative to the retention of municipal trust fund bank statements. (Rappaport, Coos 1; et al: pal and County Government)
100, psd 135, S conc 719, enr 756 (Chapter 4)

HB relative to the content and sealing of minutes in nonpublic sessions under the right- law. (Horrigan, Straf 6; et al: Judiciary)
24-325, psd 451, S conc 784, enr 825 (Chapter 49)

HB , relative to the testing of backflow devices. (Beaudoin, Straf 9; et al: Executive nts and Administration)
t of interest declaration 294, am 314-315, psd 450, S conc 784, enr 825 (Chapter 50)

HB 11 e to placement of political advertising. (Gray, Straf 8; et al: Election Law)
30
2

HB 111, relative to land retained by the state. (Hirsch, Merr 6; et al: Resources, Recreation and Development)
30, K 217

HB 112, relative to domicile for voting purposes. (Chandler, Carr 1: Election Law)
30, LT & request opin of justices 427-428, opin from justices 720, died on the table 1141

HB 113, designating the mastodon as the official state fossil. (Borden, Rock 24; et al: Executive Departments and Administration)
30, SO 433, K 525

HB 114, relative to grocery sales by stores licensed to sell alcoholic beverages. (Murphy, Hills 7: Commerce and Consumer Affairs)
30, ret 1142

HB 115, repealing the allocation of gross appropriations from the highway fund in the state budget. (Richardson, Coos 4: Public Works and Highways)
30, am 81-82, psd 91, nonconc S am, conf 992, 1017, rep adop 1051, enr 1074 (Chapter 222)

HB 116, relative to the renomination of teachers. (Richardson, Coos 4: Education)
30, K (RC) 227-230

HB 117, relative to providers prescribing cannabis for therapeutic purposes. (Irwin, Sull 9; et al: Health, Human Services and Elderly Affairs)
30, K 97-98

HB 118, relative to vehicular assault. (Shurtleff, Merr 11: Criminal Justice and Public Safety)
30, am 94, psd 135, S concur 784, enr 825 (Chapter 51)

HB 119, establishing the John G. Winant Memorial Commission. (Shurtleff, Merr 11; et al: Executive Departments and Administration)
30, psd 105-106, 135, S concur 784, enr am 825, enr 828 (Chapter 119)

HB 120, relative to complaint procedures before the state commission for human rights. (Abrami, Rock 19: Judiciary)
30, K 80

HB 121, making a technical correction to the negligent driving statute. (Crawford, Carr 4: Transportation)
30, Criminal Justice and Public Safety 81, psd 543, 551, S conc 784, enr 825 (Chapter 52)

HB 122, relative to advertising of liquor or beverages. (Murphy, Hills 7: Commerce and Consumer Affairs)
30, psd 295, 450, conc S am 786, enr 827, veto override (RC) 1006-1009, 1068 (Chapter 157)

HB 123, relative to walking disability placards. (Steven Smith, Sull 11; et al: Transportation)
30, ret 1142

HB 124, relative to the implementation of new college and career readiness standards. (Cordelli, Carr 4; et al: Education)
31, am 409-410, psd 451, S nonconc 785

HB 125-FN-L, relative to county audits and competitive bidding for county services. (Cordelli, Carr 4; et al: Municipal and County Government)
31, K 175

HB 126, establishing a commission to study issues related to students receiving special education services while attending a chartered public school. (Heath, Hills 14; et al: Education)
31, psd 208, 289, conc S am 787, enr am 825, enr 828 (Chapter 120)

HB 127, relative to identification of voters. (Berch, Ches 1; et al: Election Law)
31, K 208

HB 128, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. (McClarren, Hills 29: Commerce and Consumer Affairs)
31, ret 1142

HB 129, relative to unused prescription drugs. (F. Rice, Rock 21; et al: Health, Human Services and Elderly Affairs)
31, K 98

HB 130, relative to the use of blue lights on emergency vehicles. (Danielson, Hills 7; et al: Transportation)
31, am 103-104, psd 135, S conc 784, enr am 825-826, enr 828 (Chapter 130)

HB 131, relative to renewal of health club memberships. (R. Belanger, Rock 8; et al: Commerce and Consumer Affairs)
31, ret 1142

HB 132-L, relative to time-based rates for electric service. (Marston, Hills 19; et al: Science, Technology and Energy)
31, K 81

HB 133, relative to recounts on questions. (Byron, Hills 20; et al: Election Law)
31, rem 94, rcmt rej 122, am 123, psd 135, conc S am 832, enr 1021 (Chapter 159)

HB 134, establishing a committee to study the use of motorized scooter chairs on roadways and sidewalks. (Patten, Merr 17; et al: Transportation)
31, psd 81, 91, conc S am 787, enr 827 (Chapter 53)

HB 135, relative to qualifications of assistant election officials. (Grenier, Sull 7; et al: Election Law)
31, psd 79, 91, S conc 719, enr 756 (Chapter 5)

HB 136, prohibiting tanning facilities from tanning persons under 18 years of age. (Barnes, Rock 8; et al: Health, Human Services and Elderly Affairs)
31, LT rej (RC) 242-245, psd & conflict of interest declaration (RC) 245-247, 290, S conc 784, enr 825 (Chapter 54)

HB 137, relative to homeowner's insurance. (Flanders, Belk 3; et al: Commerce and Consumer Affairs)
31, K 373

HB 138-FN, relative to inspection of governmental records under the right-to-know law. (Horrigan, Straf 6; et al: Judiciary)
31, K 325

HB 139-FN, relative to an emergency exception under the New Hampshire retirement system for certain part-time employment. (Ratzki, Merr 1: Executive Departments and Administration)
31, rem 294, K 534

HB 140, relative to appointment of inspectors of election. (Gray, Straf 8; et al: Election Law)
43, am 208-209, psd 289, conc S am 787, enr 827 (Chapter 55)

HB 141, relative to rulemaking authority concerning work schedules in pharmacies. (P. Schmidt, Straf 19: Executive Departments and Administration)
43, am 433-434, psd 452, S Com 830, 1144

HB 142, relative to student social media policies by educational institutions. (Rogers, Merr 28; et al: Education)
43, am & recon 230-231, psd 290, nonconc S am, conf 992, 1017, rep adop 1051, enr am 1072-1073, enr 1074 (Chapter 270)

HB 143, relative to electric renewable energy classes. (Murotake, Hills 32; et al: Science, Technology and Energy)
43, ret 1142

HB 144, establishing a commission to study the long-term viability of the New Hampshire state port authority. (Cali-Pitts, Rock 30: Public Works and Highways)
43, K 82

HB 145, allowing municipalities to dedicate a percentage of timber yield taxes to the conservation fund. (Manley, Hills 3: Municipal and County Government)
43, rem 94, K 133

HB 146, relative to the board of dental examiners. (P. Schmidt, Straf 19: Executive Departments and Administration)
43, am 150, psd 204, S conc 784, enr 825 (Chapter 56)

HB 147, relative to the homestead exemption amount. (Tucker, Rock 23: Municipal and County Government)
43, am 117-118, psd 135, S conc 784, enr 825 (Chapter 57)

HB 148, limiting the authority of delegates to Article V conventions. (Itse, Rock 10; et al: State-Federal Relations and Veterans Affairs)
43, rem 207, am 283-285, psd 290, S conc 784, enr 825, veto sustained (RC) 1009-1012

HB 149, relative to qualifications for the office of county commissioner. (Bailey, Graf 14; et al: Election Law)
43, psd 209, 289, S conc 784, enr 825 (Chapter 58)

HB 150, establishing a study committee on the legalization of marijuana. (Phillips, Ches 16; et al: Criminal Justice and Public Safety)
43, am 383-384, psd 451, S nonconc 785

HB 151, establishing a committee to study end-of-life decisions. (Phillips, Ches 16: Judiciary)
43, psd 251, 290, S conc 784, enr 825, veto sustained (RC) 1012-1015

HB 152, establishing a state poem. (Peckham, Rock 22: Executive Departments and Administration)
43, K 95

HB 153, relative to the telecommunications planning and development advisory committee. (Rappaport, Coos 1: Science, Technology and Energy)
43, psd 118, 135, conc S am 834, enr am 1019, enr 1067 (Chapter 189)

HB 154, relative to the power of towns to adopt bylaws and ordinances. (Irwin, Sull 9: Municipal and County Government)
43, K 100-101

HB 155, relative to municipal contracts for police chief. (Bickford, Straf 3: Municipal and County Government)
43, psd 101, 135, S conc 784, enr 825 (Chapter 59)

HB 156, relative to the 70 mile per hour speed limit on a portion of I-93. (Moffett, Merr 9; et al: Transportation)
43, K 104

HB 157, relative to enforcement of condominium liens for assessments. (Infantine, Hills 13: Commerce and Consumer Affairs)
43, K 295

HB 158, requiring the managing agent to return the records of a condominium association upon the request of the association. (Infantine, Hills 13: Commerce and Consumer Affairs)
43, am 373-374, psd 451, S conc 784, enr am 826, enr 828 (Chapter 131)

HB 159, repealing the committee to study the laws relating to condominium and homeowners' associations. (Infantine, Hills 13: Commerce and Consumer Affairs)
43, K 147

HB 160, relative to qualifications of condominium association board members. (Infantine, Hills 13: Commerce and Consumer Affairs)
44, K 295-296

HB 161, relative to the termination of a management contract by a condominium association. (Infantine, Hills 13: Commerce and Consumer Affairs)
44, K 296

HB 162, transferring authority for explosives and fireworks rules from the director of state police to the commissioner of safety. (Welch, Rock 13; et al: Executive Departments and Administration)
44, am 95, psd 135, S conc 784, enr 825 (Chapter 60)

HB 163, establishing a state minimum hourly rate. (Robertson, Ches 6: Labor, Industrial and Rehabilitative Services)
44, K 327

HB 164, relative to processing applications for the therapeutic use of cannabis. (Wright, Carr 8; et al: Health, Human Services and Elderly Affairs)
44, K 98

HB 165, relative to the definition of "qualifying medical condition" for the therapeutic use of cannabis. (Lachance, Hills 8; et al: Health, Human Services and Elderly Affairs)
44, K 98

HB 166-L, relative to records storage by municipalities. (K. Roberts, Ches 16: Municipal and County Government)
44, psd 101, 135, S conc 719, enr 756 (Chapter 6)

HB 167, directing the commissioners of the department of resources and economic development and the department of environmental services to develop a business development plan to attract certain businesses to New Hampshire. (Danielson, Hills 7: Resources, Recreation and Development)
44, K 80

HB 168, relative to grounds for divorce for persons with minor children. (Groen, Straf 10; et al: Children and Family Law)
44, K 104

HB 169, relative to table stakes poker. (Williams, Hills 4: Ways and Means)
44, psd 343, 451, S Com 785, S conc 830, enr 1017 (Chapter 160)

HB 170, relative to the advisory committee on international trade. (Tucker, Rock 23: Commerce and Consumer Affairs)
44, psd 147-148, 204, S conc 719, enr 756 (Chapter 7)

HB 171, relative to rebating. (Flanders, Belk 3; et al: Commerce and Consumer Affairs)
44, psd 296, 450, S conc 827, enr 991 (Chapter 132)

HB 172, establishing a commission to study the operations of small claims court. (Beaudoin, Straf 9: Judiciary)
44, K 80

HB 173, relative to instructions on ballots. (Williams, Hills 4: Election Law)
44, K 79

HB 174, establishing a committee to study the name and structure of the department of resources and economic development. (Infantine, Hills 13: Resources, Recreation and Development)
44, K 80

HB 175, establishing a committee to study removing the department of justice from the financial approval process for residential condominium and housing subdivisions. (Infantine, Hills 13: Commerce and Consumer Affairs)
44, am 296, psd 450, S conc 720, enr am 756, enr 784 (Chapter 8)

HB 176-FN-A-L, relative to towns affected by the Merrimack River flood control compact and the Connecticut River flood control compact and making an appropriation therefor. (Ratzki, Merr 1; et al: Finance)
44, K (RC) 106-109

HB 177-FN, relative to sales for on-premises consumption by beverage manufacturers. (Hunt, Ches 11: Commerce and Consumer Affairs)
44, am 296-297, psd 450, S conc 720, enr 756 (Chapter 9)

HB 178, relative to exclusions from seasonal highway weight limit regulations. (Rideout, Coos 7; et al: Transportation)
44, psd 104, 135, S conc 784, enr 825 (Chapter 61)

HB 179, relative to placement of political advertising. (Gionet, Graf 5; et al: Election Law)
45, K 148

HB 180, relative to the definition of "price or consideration" under the real estate transfer tax. (Kaen, Straf 5: Ways and Means)
45, am 334-335, psd 451, S conc 829, enr 991 (Chapter 133)

HB 181, relative to the definition of "meeting" under the right-to-know law. (Cali-Pitts, Rock 30: Judiciary)
45, rem 79, K (RC) 82-85

HB 182, establishing a committee to study alternative public employee retirement plans. (Hess, Merr 24; et al: Executive Departments and Administration)
45, K 95

HB 183, relative to voter registration forms. (Marston, Hills 19; et al: Election Law)
45, ret 1142

HB 184, relative to travel insurance. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
45, am 297-298, psd 450, S conc 784, enr 825 (Chapter 62)

HB 185, allowing straight ticket voting. (Marston, Hills 19; et al: Election Law)
45, K 235

HB 186, enabling the department of environmental services and the town of New Ipswich to negotiate an agreement regarding the encroachment of the town cemetery on state land. (Coffey, Hills 25; et al: Municipal and County Government)
45, K 101

HB 187, relative to information sharing for enforcement of the tobacco tax and relative to the biennial adjustment of the filing threshold for the business enterprise tax. (Major, Rock 14; et al: Ways and Means)
45, psd 220, 290, conc S am 834, enr 1021 (Chapter 183)

HB 188, allowing the department of health and human services to share certain Medicaid enhancement tax information with the Centers for Medicare and Medicaid Services. (Major, Rock 14; et al: Health, Human Services and Elderly Affairs)
45, K 152-153

HB 189, relative to authorization of payments by the treasurer from the Rockingham county delegation budget. (Weyler, Rock 13; et al: Municipal and County Government)
45, K 175

HB 190, establishing a committee to study the standards for collaborative pharmacy practice. (MacKay, Merr 14; et al: Health, Human Services and Elderly Affairs)
45, am 98-99, psd 135, conc S am 833, enr am 1019, enr 1067 (Chapter 190)

HB 191, relative to projects which are privately financed in energy efficiency and clean energy districts. (Mann, Ches 2; et al: Municipal and County Government)
45, LT 255, died on the table 1141

HB 192, relative to the valuation of utility property. (Coffey, Hills 25; et al: Municipal and County Government)
45, psd 256, 290, S Com 785, 1144

HB 193, relative to utility assessments for the use of village district roads. (Coffey, Hills 25: Municipal and County Government)
45, am 213, psd 289, S conc 784, enr 825 (Chapter 83)

HB 194, providing that life begins at conception. (Hoell, Merr 23; et al: Judiciary)
45, K (RC) 109-112

HB 195, relative to continuing care communities. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
45, psd 298, 450, S Com 785, 1144

HB 196, requiring the removal of identifying features from vehicles formerly used as ambulances. (Welch, Rock 13; et al: Transportation)
45, am 268, psd 290, conc S am 787, enr 827 (Chapter 63)

HB 197-FN, relative to sales and samples provided by wine manufacturers. (Hansen, Hills 22; et al: Commerce and Consumer Affairs)
45, ret 1142

HB 198, relative to retention requirements for certain motor vehicle records. (Crawford, Carr 4: Criminal Justice and Public Safety)
45, am 306-307, psd 450, S conc 827, enr 991 (Chapter 134)

HB 199, relative to tax relief information contained on a property tax bill. (Jones, Straf 24; et al: Municipal and County Government)
46, K 213

HB 200, defining "farm stand." (R. Brown, Graf 2; et al: Environment and Agriculture)
46, am 312-313, psd 450, S conc 784, enr 825 (Chapter 84)

HB 201, relative to the acquisition of property rights at Back Lake dam in the town of Pittsburg, Lake Armington dam in the town of Piermont, Cass Pond dam in the town of Epsom, and Chesham Pond dam in the town of Harrisville by the department of environmental services. (Mullen, Straf 1: Resources, Recreation and Development)
46, psd 101, 135, S conc 784, enr 825 (Chapter 85)

HB 202, repealing the authority for the dispensing of prescription drugs in certain clinics. (Wuelper, Straf 3: Health, Human Services and Elderly Affairs)
46, rem 207, K 280

HB 203, relative to the unauthorized practice of law. (Beaudoin, Straf 9; et al: Judiciary)
46, am 251, psd 290, S nonconc 830

HB 204, relative to incompatibility of town offices. (Rowe, Hills 22: Election Law)
46, K 209

HB 205-L, relative to lending practices of energy efficiency and clean energy districts. (C. McGuire, Merr 29; et al: Municipal and County Government)
46, rcmt 176, am 514-517, psd 537, S conc 784, enr 825 (Chapter 121)

HB 206, relative to non-academic surveys or questionnaires given to students. (Boehm, Hills 20; et al: Education)
47, am (RC) 231-234, psd 290, conc S am 832, enr 1021 (Chapter 161)

HB 207, defining probable cause or reasonable ground for the purpose of arrest without a warrant. (Itse, Rock 10; et al: Criminal Justice and Public Safety)
47, K 307

HB 208-FN, repealing the New Hampshire regional greenhouse gas initiative program. (Barry, Hills 21; et al: Science, Technology and Energy)
47, am & Finance (2 RCs) 180-186, referral declined 206, psd 289, nonconc S am, conf 992, 1017, no report filed 1141

HB 209, repealing New Hampshire's atomic energy policy. (Backus, Hills 19; et al: Science, Technology and Energy)
47, K 218

HB 210, relative to financial responsibility limits for motor vehicle liability insurance. (Goley, Hills 8; et al: Commerce and Consumer Affairs)
47, K 374

HB 211, establishing a commission for domestic affairs. (Brewster, Merr 21; et al: Children and Family Law)
47, ret 1142

HB 212, relative to revocation of hunting licenses of persons convicted of a felony while hunting, trapping, or fishing. (Shepardson, Ches 10; et al: Fish and Game and Marine Resources)
47, am 320-321, psd 450, conc S am 833, enr am 1019-1020, enr 1067 (Chapter 186)

HB 213, establishing an energy awareness commission. (McNamara, Hills 38; et al: Science, Technology and Energy)
47, K 261

HB 214-FN, relative to circumstances under which a police officer's certification may be revoked. (Tasker, Rock 2; et al: Criminal Justice and Public Safety)
47, K (RC) 385-387, conflict of interest declaration 387

HB 215-FN, relative to school building aid grant payments. (Ladd, Graf 4; et al: Education)
47, am & Finance 162-163, K 544-545

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions. (C. McGuire, Merr 29; et al: Executive Departments and Administration)
47, Finance 167, psd 319, 450, S Com 720, 1145

HB 217-FN, relative to fees for reinstatement of licenses, registrations, and certifications established by the pharmacy board. (Irwin, Sull 9; et al: Executive Departments and Administration)
47, psd 95, 135, S conc 720, enr 756 (Chapter 10)

HB 218-FN, relative to additional funding for third grade proficiency in mathematics. (Ladd, Graf 4; et al: Education)
47, ret 1142

HB 219-FN, relative to the use of electronic benefits transfer (EBT) cards. (McMahon, Rock 7; et al: Health, Human Services and Elderly Affairs)
47, psd 99-100, 135, nonconc S am, conf 835, 993, conferee change 992, 1020, rep adop 1051, enr am 1073, enr 1074 (Chapter 269)

HB 220-FN, requiring licensure of community association property managers. (LeBrun, Hills 32; et al: Commerce and Consumer Affairs)
47, K 374

HB 221-FN, relative to the granting of 4-year baccalaureate degrees by the community college system of New Hampshire. (Burton, Straf 6; et al: Education)
47, K 148

HB 222-FN, exempting certain homeowners over 80 years of age from the statewide education tax. (Coffey, Hills 25; et al: Ways and Means)
47, K 220

HB 223-FN, relative to external review under the managed care law. (Butler, Carr 7; et al: Commerce and Consumer Affairs)
47, psd 298, 450, S conc 824, enr 827 (Chapter 64)

HB 224-FN, repealing the exemption for water and air pollution control facilities from local property taxation. (Cushing, Rock 21; et al: Municipal and County Government)
48, rem 207, K 280-281

HB 225, requiring the defendant to personally appear in the courtroom during a victim impact statement. (Cushing, Rock 21; et al: Judiciary)
48, am 212, psd 289, S conc 994, enr am 1021, enr 1071 (Chapter 223)

HB 226, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions. (J. Belanger, Hills 27; et al: Municipal and County Government)
48, ret 1142

HB 227, relative to eminent domain on public lands. (J. Belanger, Hills 27; et al: Municipal and County Government)
48, am 213, psd 289, S LT 785

HB 228, relative to showing or specially marking a ballot. (Rideout, Coos 7; et al: Election Law)
48, rem 207, LT rej & K (RC) 272-274

HB 229, relative to increasing the maximum amount of the optional veterans tax credit. (Chirichiello, Rock 6; et al: Municipal and County Government)
48, ret 1142

HB 230, relative to penalties for failure to timely discharge a mortgage. (Chirichiello, Rock 6; et al: Commerce and Consumer Affairs)
48, Criminal Justice and Public Safety 159, am 543-544, psd 551, conc S am 1015, enr 1071 (Chapter 224)

HB 231, relative to applications for school building aid. (Cahill, Rock 17; et al: Education)
48, ret 1142

HB 232, relative to training in suicide risk assessment, treatment, and management. (P. Schmidt, Straf 19: Health, Human Services and Elderly Affairs)
48, K 211

HB 233, relative to local approval of mining activity. (Hunt, Ches 11; et al: Municipal and County Government)
48, psd 213, 289, conc S am 833, enr 1021 (Chapter 162)

HB 234, relative to renewable portfolio standards. (Flanagan, Hills 26; et al: Science, Technology and Energy)
48, K 218

HB 235, relative to obstruction of traffic on certain highways. (Ladd, Graf 4: Municipal and County Government)
48, K 154-155

HB 236, relative to child support and allowable child care expenses. (Webb, Rock 6; et al: Children and Family Law)
48, am & psd (RC) 359-362, 451, S nonconc 830

HB 237, requiring vocational education centers to prioritize science, technology, engineering, and mathematics curricula as a condition for funding. (Schroadter, Rock 17: Education)
48, K 208

HB 238, relative to the energy efficiency implementation plan. (Mann, Ches 2; et al: Science, Technology and Energy)
48, K 103

HB 239-FN-A, establishing a statutory commission to study the creation of a state retirement security program and making an appropriation therefor. (Danielson, Hills 7; et al: Finance)
48, K 96

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. (Duarte, Rock 2; et al: Criminal Justice and Public Safety)
48, ret 1142

HB 241-FN, prohibiting driving while holding an animal in the driver's seat. (Richardson, Coos 4: Transportation)
48, LT (RC) 191-194, died on the table 1141

HB 242, relative to the statewide improvement and assessment program. (Ladd, Graf 4; et al: Education)
48, ret 1142

HB 243, changing the definitions of "focus school" and "priority school" in the school performance and accountability law. (Ladd, Graf 4: Education)
48, ret 1142

HB 244-L, relative to the permissible level of methyl tertiary butyl ether in drinking water. (McConnell, Ches 12; et al: Environment and Agriculture)
48, rem 293, K 533-534

HB 245, establishing a committee to study state and county departments of corrections. (Emerick, Rock 21; et al: Criminal Justice and Public Safety)
48, K 104-105

HB 246, relative to jury nullification. (Itse, Rock 10; et al: Judiciary)
48, rem 94, K (RC) 128-130

HB 247, prohibiting the assignment and acceptance of recommendations of unauthorized judicial referees. (Itse, Rock 10; et al: Judiciary)
49, K 100

HB 248, directing the university system of New Hampshire to conduct a study of the effects of prolonged human consumption of and exposure to methyl tertiary butyl ether (MTBE). (McConnell, Ches 12; et al: Environment and Agriculture)
49, K 313

HB 249, relative to the award of alimony and the enforcement of orders under RSA 458. (Abrami, Rock 19; et al: Children and Family Law)
49, ret 1142

HB 250, relative to requirements for perambulation of town lines. (Crawford, Carr 4; et al: Municipal and County Government)
49, K 214

HB 251-FN, excluding circumcision from the state Medicaid plan. (Murphy, Hills 7: Commerce and Consumer Affairs)
49, vac Health, Human Services and Elderly Affairs 78, K 321

HB 252, relative to the divestiture of electrical generation facilities. (Hoell, Merr 23; et al: Science, Technology and Energy)
49, K 218-219

HB 253, relative to the requirements for filing a charter school application. (Frazer, Merr 13; et al: Education)
49, ret 1142

HB 254, relative to exceptions to restrictions on boating. (Byron, Hills 20: Resources, Recreation and Development)
49, am 102, psd 135, S conc 784, enr 825 (Chapter 86)

HB 255-FN, relative to petitioning for annulment of a class B misdemeanor offense. (Harvey, Hills 29; et al: Criminal Justice and Public Safety)
49, am 387-388, psd 451, S conc 827, enr 991 (Chapter 135)

HB 256, relative to automobile insurance statements of residency. (J. Belanger, Hills 27; et al: Commerce and Consumer Affairs)
49, K 299

HB 257, relative to amending municipal charters. (P. Long, Hills 10: Municipal and County Government)
49, K 214

HB 258-FN-L, relative to fees for preparing motor vehicle registration documents. (P. Long, Hills 10: Ways and Means)
49, Finance 197, referral declined & psd 204, conc S am 834, enr 1021 (Chapter 163)

HB 259, relative to the reporting date of the economic development strategy and plan. (Kaen, Straf 5: Resources, Recreation and Development)
49, psd 102, 135, S conc 720, enr 756 (Chapter 11)

HB 260, relative to the definition of antique motor vehicle or motorcycle. (D. McGuire, Merr 21; et al: Transportation)
49, psd 158, 204, S conc 720, enr 756 (Chapter 12)

HB 261, relative to disbursements of school building aid grant payments. (Cahill, Rock 17; et al: Finance)
49, K (RC) 168-171

HB 262, relative to criteria for classification as a tier III sex offender. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)
49, K 307

HB 263, prohibiting residency restrictions on sex offenders. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)
49, rem 293, LT 526, died on the table 1141

HB 264, prohibiting mortgage lenders from considering child support obligations as part of the mortgage application process. (Oligny, Rock 34; et al: Commerce and Consumer Affairs)
49, K 299

HB 265, relative to moneys allocated for child support. (Brewster, Merr 21: Children and Family Law)
49, K 294

HB 266, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions. (Brewster, Merr 21: Children and Family Law)
49, ret 1142

HB 267-FN, requiring employers to verify an employee's eligibility to work in the United States. (Duarte, Rock 2; et al: Labor, Industrial and Rehabilitative Services)
50, K 485

HB 268, establishing a committee to study the adoption of low-impact housing development standards by the department of environmental services. (Butler, Carr 7; et al: Municipal and County Government)
50, psd 214, 289, S conc 720, enr 756 (Chapter 3)

HB 269, allowing a landlord to collect first and last month's rent in addition to a security deposit. (Duarte, Rock 2; et al: Judiciary)
50, K 112-113, recon rej (RC) 119-121

HB 270, granting immunity from criminal prosecution to certain persons involved in a drug or alcohol related emergency. (Bouldin, Hills 12; et al: Criminal Justice and Public Safety)
50, am 307-308, psd 450, conc S am 1015, enr 1071 (Chapter 218)

HB 271, relative to possession and administration of an opioid antagonist for opioid-related overdoses. (Bouldin, Hills 12; et al: Health, Human Services and Elderly Affairs)
50, am 153, psd 204, S conc 824, enr 827 (Chapter 65)

HB 272, designating the Ham Branch watershed in Easton as a protected river and exempting the Ham Branch watershed from the comprehensive shoreland protection act. (Ford, Graf 3; et al: Resources, Recreation and Development)
50, am 517-518, psd 537, S nonconc 785

HB 273, relative to the rights of inhabitants and their political choice. (Marple, Merr 24; et al: State-Federal Relations and Veterans Affairs)
50, K 188

HB 274, relative to the sovereignty of the state. (Marple, Merr 24; et al: State-Federal Relations and Veterans Affairs)
50, K 158

HB 275, relative to the encroachment of a town cemetery on state-owned land. (Coffey, Hills 25; et al: Municipal and County Government)
50, psd 101, 135, S conc 720, enr am 756, enr 784 (Chapter 13)

HB 276, providing that school districts shall not be required to adopt the common core standards. (Ladd, Graf 4; et al: Education)
50, am & psd (RC) 410-413, 451, S LT 825

HB 277, relative to the policy for acceptance of grants by county conventions. (Comeau, Carr 5; et al: Municipal and County Government)
50, K 214

HB 278, relative to town clerk fees for fill and dredge permit applications. (Danielson, Hills 7: Ways and Means)
50, K 335

HB 279, establishing a commission to study the economic impact of the arts and culture in New Hampshire. (Gidge, Hills 33; et al: Executive Departments and Administration)
50, am & psd (RC) 434-437, 452, conc S am 787, enr am 826, enr 828 (Chapter 122)

HB 280, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans. (Baldasaro, Rock 5: Transportation)
50, ret 1142

HB 281, defining "exotic aquatic species of wildlife" and relative to the duties of the exotic aquatic weeds and species committee. (Gottling, Sull 2; et al: Resources, Recreation and Development)
50, am 102, psd 135, conc S am 834, enr 1021 (Chapter 164)

HB 282, relative to removal or impoundment of a vehicle. (Tholl, Coos 5; et al: Criminal Justice and Public Safety)
50, K 94-95

HB 283, requiring school districts to establish a policy permitting a pupil's parent or legal guardian to observe his or her classes. (Jones, Straf 24; et al: Education)
50, K 234, recon rej 363

HB 284, relative to motor vehicle franchises. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
50, K 299

HB 285, relative to discussion with legal counsel under the right-to-know law. (Bickford, Straf 3: Judiciary)
51, am 325, psd 451, S Com 994, 1145

HB 286, relative to permits issued by building inspectors. (Bickford, Straf 3: Executive Departments and Administration)
51, am 437, psd 452, S nonconc 824

HB 287, allowing citizens to record by audio or video a traffic stop by law enforcement officers. (Bickford, Straf 3; et al: Criminal Justice and Public Safety)
51, am 308, psd 450, S nonconc 994

HB 288-L, relative to the code for energy conservation in new building construction. (Groen, Straf 10; et al: Municipal and County Government)
51, ret 1142

HB 289, relative to the content of annual town reports. (Mann, Ches 2: Municipal and County Government)
51, K 214

HB 290, relative to the acceptance of risk in outdoor recreational activities. (R. Brown, Graf 2; et al: Judiciary)
51, psd 252, 290, S conc 830, enr 1017 (Chapter 165)

HB 291, establishing a committee to study modernization of the energy grid in New Hampshire. (Shepardson, Ches 10; et al: Science, Technology and Energy)
51, K 103

HB 292, expanding the good Samaritan law to engineers and architects. (Chandler, Carr 1; et al: Judiciary)
51, am 466-467, LT rej 467, psd (RC) 467-469, 537, conc S am 833, enr am 1020, enr 1067 (Chapter 191)

HB 293, relative to the renewal or modification of an alimony order. (Kellogg, Rock 14: Children and Family Law)
51, K 294

HB 294, establishing a commission to develop a strategic plan for New Hampshire. (Cilley, Straf 4; et al: Executive Departments and Administration)
51, ret 1142

HB 295, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities. (Cheney, Straf 17; et al: Municipal and County Government)
51, ret 1142

HB 296, relative to a named insured of a life insurance policy. (Balcom, Hills 21: Commerce and Consumer Affairs)
51, K 299

HB 297, protecting individual customer data from disclosure by a public utility. (Kurk, Hills 2; et al: Science, Technology and Energy)
51, ret 1142

HB 298, relative to the seasons for taking game animals and game birds with the use of bait. (Burt, Hills 39; et al: Fish and Game and Marine Resources)
51, K (RC) 454-456

HB 299, prohibiting voting by the house of representatives for the speaker of the house on organizational convening day to be by secret ballot. (Burt, Hills 39; et al: Legislative Administration)
51, K (RC) 503-505

HB 300, requiring state employees and state public officials to obtain prior permission to attend meetings and hearings of the general court. (Brewster, Merr 21: Legislative Administration)
51, K 330

HB 301, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education. (Ferreira, Hills 28; et al: Education)
51, ret 1142

HB 302, requiring a public hearing prior to the submission of a grant application by the department of education. (Ferreira, Hills 28; et al: Education)
51, rem 207, K (RC) 269-272

HB 303, relative to statewide assessment standards and relative to parental consent for psychological services to students. (Ferreira, Hills 28; et al: Education)
51, LT (2 RCs) 413-419, died on the table 1141

HB 304, establishing a committee to study public access to political campaign information. (Hoelzel, Rock 3; et al: Election Law)
51, am 209, psd 289, S conc 824, enr 827 (Chapter 66)

HB 305, relative to assessment of and discharge planning for minors in the juvenile court system. (P. Long, Hills 10: Children and Family Law)
51, am 294-295, psd 450, nonconc S am, conf 834, 993, conferee change 1018, 1020, 1021, rep adop 1051, enr 1074 (Chapter 260)

HB 306, relative to membership of the wetlands council and the water council. (Gottling, Sull 2; et al: Resources, Recreation and Development)
51, am 217-218, psd 289, conc S am 787, enr 827 (Chapter 67)

HB 307, relative to the membership and duties of the legislative youth advisory council. (Hill, Merr 3: Children and Family Law)
51, K 295

HB 308, relative to the supervision of a real estate office and the duties of a facilitator under the real estate practice act. (Baroody, Hills 43; et al: Commerce and Consumer Affairs)
51, psd 299, 450, S conc 784, enr 825 (Chapter 87)

HB 309, permitting landlords to remove tenants' property in certain circumstances. (Groen, Straf 10; et al: Judiciary)
52, am 325-326, psd 451, conc S am 1016, enr 1071 (Chapter 225)

HB 310, relative to reporting the destruction of motor vehicles. (C. McGuire, Merr 29; et al: Transportation)
52, psd 220, 290, S conc 720, enr am 756, enr 784 (Chapter 25)

HB 311, relative to withdrawal of candidates. (Simmons, Hills 17; et al: Election Law)
52, K 210

HB 312, relative to registration of voters. (Pitre, Straf 2: Election Law)
52, ret 1142

HB 313, relative to municipal elections. (Pitre, Straf 2: Municipal and County Government)
52, K 214

HB 314, establishing a commission to study the charitable status of certain nonprofit organizations for purposes of state and local taxation. (P. Brown, Hills 31: Ways and Means)
52, K 104

HB 315, relative to termination of tenancy. (Beaudoin, Straf 9; et al: Judiciary)
52, am 252-253, psd (RC) 253-255, 290, S nonconc 830

HB 316, establishing a committee to study offshore wind energy production. (Cushing, Rock 21: Science, Technology and Energy)
52, K 261

HB 317, relative to contracts between schools and school districts. (Eastman, Hills 28: Education)
52, rem 293, K 532

HB 318, establishing a committee to study state laws and rules affecting New Hampshire businesses. (Infantine, Hills 13: Commerce and Consumer Affairs)
52, K 299

HB 319, establishing a committee to study effects of making changes to certain New Hampshire tax laws. (Infantine, Hills 13; et al: Ways and Means)
52, K 158

HB 320, relative to removal of certain campaign materials at the polling place. (Infantine, Hills 13; et al: Election Law)
52, K 149

HB 321, establishing a committee to study improvements to the Elizabeth Meader Hanson site in Dover. (Cheney, Straf 17; et al: Public Works and Highways)
52, K 331

HB 322, relative to protection of personally identifiable data by the department of education. (Cordelli, Carr 4; et al: Education)
52, psd 310, 450, S conc 827, enr 991 (Chapter 136)

HB 323, relative to the administration of the statewide assessment program. (Ladd, Graf 4; et al: Education)
52, rem 293, am 532-533, psd 537, nonconc S am, conf 992, 1017, rep adop 1051, enr 1074 (Chapter 226)

HB 324, relative to membership in a union. (Pitre, Straf 2: Labor, Industrial and Rehabilitative Services)
52, ret 1142

HB 325, relative to the release of the names of winners of multi-state lotteries. (Richardson, Coos 4; et al: Commerce and Consumer Affairs)
52, vac Executive Departments and Administration 78, K 437-438

HB 326, relative to the membership of the board of registration of medical technicians. (Sherman, Rock 24: Executive Departments and Administration)
52, am 315-316, psd 450, S conc 784, enr 825 (Chapter 88)

HB 327, relative to investment crowdfunding. (Tucker, Rock 23: Commerce and Consumer Affairs)
52, ret 1142

HB 328, relative to delivery of absentee ballots. (Marston, Hills 19; et al: Election Law)
52, psd 428, 452, conc S am 832, enr 1021 (Chapter 166)

HB 329, relative to a construction project at the state veterans cemetery. (F. Tilton, Belk 3; et al: Public Works and Highways)
52, am & Finance 157, psd 544, 551, S conc 829, enr 991 (Chapter 137)

HB 330, establishing an oversight commission for medical cost transparency. (McMahon, Rock 7; et al: Health, Human Services and Elderly Affairs)
52, am & Finance 100, referral declined 117, psd 135, conc S am 1015, enr 1071 (Chapter 227)

HB 331, relative to absences among selectmen on election day. (D. McGuire, Merr 21; et al: Municipal and County Government)
52, psd 215, 289, S Com 785, 1145

HB 332, relative to school district policy regarding objectionable course material. (V. Sullivan, Hills 16; et al: Education)
52, psd (RC) 419-421, 451, conc S am 832, enr 1021, veto sustained (RC) 1078-1081

HB 333, establishing a process for review and reporting of dedicated funds. (Umberger, Carr 2; et al: Finance)
52, am 96-97, psd 135, conc S am 833, enr am 1020, enr 1067 (Chapter 192)

HB 334, relative to the sale of personally identifiable information by Internet service providers. (Ratzki, Merr 1: Science, Technology and Energy)
52, ret 1142

HB 335, relative to the disposition of rangeways. (Wright, Carr 8: Municipal and County Government)
52, K 215

HB 336, relative to seasons for hunting by crossbow. (Webb, Rock 6; et al: Fish and Game and Marine Resources)
52, am & psd 460, 537, S conc 784, enr am 826, enr 828 (Chapter 123)

HB 337, relative to the patients' bill of rights. (C. McGuire, Merr 29; et al: Health, Human Services and Elderly Affairs)
53, K 211

HB 338, relative to nomination of candidates for United States senator. (Marple, Merr 24; et al: Legislative Administration)
53, rem 94, K (RC) 130-133

HB 339, relative to transfer station income. (Pitre, Straf 2: Municipal and County Government)
53, K 215

HB 340, relative to appointing undeclared voters as inspectors of election. (P. Long, Hills 10: Election Law)
53, K 149

HB 341, relative to eligibility in a municipality for the property tax for the disabled. (P. Long, Hills 10: Municipal and County Government)
53, K 155

HB 342, relative to property owners' consent for smart meter gateway devices. (Peterson, Hills 7; et al: Science, Technology and Energy)
53, K 219

HB 343, requiring certain charitable nonprofit corporations to provide certain information relative to board members. (Rosenwald, Hills 30; et al: Commerce and Consumer Affairs)
53, K 375

HB 344, relative to membership on advisory boards for municipal economic development and revitalization districts and relative to the financing plan of such districts. (Sterling, Ches 14; et al: Municipal and County Government)
53, Ways and Means 101, referral declined 146, psd 204, conc S am 833, enr 1021 (Chapter 167)

HB 345, requiring utilities to provide data to consumers explaining rates and rate increases. (Rogers, Merr 28; et al: Science, Technology and Energy)
53, K 219

HB 346, relative to criminal history records checks for school employees and volunteers. (O'Hearne, Sull 3; et al: Education)
53, am 310-311, psd 450, S Com 828, 1145

HB 347, relative to payment of wages of certain hourly school district employees. (Myler, Merr 10: Labor, Industrial and Rehabilitative Services)
53, am 327-328, psd 451, conc S am 833, enr 1021 (Chapter 168)

HB 348, allowing municipalities to adopt a property tax credit for elderly homeowners for the extent their tax bill exceeds 10 percent of income. (Myler, Merr 10; et al: Municipal and County Government)
53, K 215

HB 349, relative to state buffers for projects requiring wetland permits. (Spang, Straf 6; et al: Resources, Recreation and Development)
53, LT 519, died on the table 1141

HB 350, establishing a commission to study the impacts of the property tax on New Hampshire's residents, businesses, municipalities, and the economy. (Spang, Straf 6; et al: Ways and Means)
53, K (RC) 223-226

HB 351, exempting historically significant vehicles from emission control requirements. (Packard, Rock 5; et al: Transportation)
54, ret 1142

HB 352, relative to violations of constitutional rights. (Marple, Merr 24; et al: Judiciary)
54, rem 147, K 204

HB 353, relative to the governance of condominium unit owners' associations. (Williams, Hills 4; et al: Commerce and Consumer Affairs)
54, am 300, psd 450, S Com 785, 1145

HB 354, relative to the closing of clam, oyster, and other bivalve areas for restoration. (Schroadter, Rock 17; et al: Fish and Game and Marine Resources)
54, am & Finance 152, psd 544, 551, S conc 784, enr 825 (Chapter 110)

HB 355, relative to pre-election tests of ballot counting devices. (P. Long, Hills 10: Election Law)
54, K 149

HB 356, exempting persons using private virtual currencies for internet commerce from the licensing requirements for money transmitters. (Tamburello, Rock 5; et al: Commerce and Consumer Affairs)
54, ret 1142

HB 357, relative to notice of change of name or address on a driver's license. (Myler, Merr 10: Transportation)
54, am & Finance 158, psd (RC) 545-548, 551, S nonconc 824

HB 358, relative to driver's license information obtained by pawnbrokers and secondhand dealers. (Williams, Hills 4: Commerce and Consumer Affairs)
54, psd 375, 451, conc S am 1015, enr am 1070-1071, enr 1074 (Chapter 228)

HB 359, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction. (F. McCarthy, Carr 2; et al: Ways and Means)
54, ret 1142

HB 360, relative to public utilities that fail to restore service within 3 days. (Ulery, Hills 37; et al: Science, Technology and Energy)
54, K 219

HB 361, relative to the definition of "employee". (Infantine, Hills 13: Labor, Industrial and Rehabilitative Services)
54, am 328-329, psd 451, S conc 824, enr am 826, enr 828 (Chapter 138)

HB 362, relative to the reliability of the electric grid. (Murotake, Hills 32; et al: Science, Technology and Energy)
54, am 118-119, psd 135, S conc 785, enr 825 (Chapter 89)

HB 363, relative to Lyme disease awareness. (P. Brown, Hills 31; et al: Executive Departments and Administration)
55, am 316-317, psd 450, conc S am 787, enr 825 (Chapter 42)

HB 364, relative to renewal fees administered by the office of professional licensing. (Abrami, Rock 19; et al: Executive Departments and Administration)
55, psd 150, 204, S LT 785, nonconc S am, conf 835, 993, rep adop (RC) 1051-1054, enr 1074 (Chapter 229)

HB 365, prohibiting an employer from using credit history in employment decisions. (Cushing, Rock 21; et al: Labor, Industrial and Rehabilitative Services)
55, K (RC) 492-494

HB 366, relative to the alcohol percentage used to classify beverages. (Hunt, Ches 11: Commerce and Consumer Affairs)
55, ret 1142

HB 367-FN, redefining simple assault. (Murphy, Hills 7; et al: Criminal Justice and Public Safety)
55, K 388

HB 368, relative to third party review required by the planning board. (Butler, Carr 7; et al: Municipal and County Government)
55, K 155

HB 369-FN-A-L, establishing a defined contribution retirement plan for public employees. (C. McGuire, Merr 29; et al: Special Committee on Public Employee Pension Plans)
55, ret 1142

HB 370-L, enabling counties and municipalities to establish minimum wage rates. (Robertson, Ches 6: Labor, Industrial and Rehabilitative Services)
55, rem 294, K 535

HB 371, relative to assessing the consequences of the *Citizens United* decision. (Elliott, Rock 8; et al: Legislative Administration)
55, K (RC) 113-116, remarks printed 116-117

HB 372, relative to certain private employers under workers' compensation. (Haefner, Hills 37; et al: Environment and Agriculture)
55, ret 1142

HB 373, establishing the red-tailed hawk as the New Hampshire state raptor. (Cushing, Rock 21; et al: Environment and Agriculture)
55, SO 428, K 453-454

HB 374, permitting certain vehicles to proceed through an intersection after stopping for a red light. (Beaudoin, Straf 9; et al: Transportation)
55, K 333

HB 375, relative to providing information about effective forms of child discipline to parents. (Berrien, Rock 18; et al: Education)
55, K 311

HB 376-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. (Buco, Carr 2; et al: Finance)
55, ret 1142

HB 377, establishing a commission to study the establishment of a state geographic information system office and the position of state geographic information officer. (Baldasaro, Rock 5; et al: Executive Departments and Administration)
54, ret 1142

HB 378, relative to shared residential responsibility and establishing a commission to study child support and related child care issues. (Bickford, Straf 3; et al: Children and Family Law)
54, ret 1142

HB 379, establishing a commission to study the effects of ocean acidification on commercially harvested species. (Borden, Rock 24; et al: Science, Technology and Energy)
54, LT 264, died on the table 1141

HB 380, relative to investigations of child day care agencies. (Burt, Hills 39; et al: Children and Family Law)
54, am (2 RCs) 363-369, psd (RC) 369-371, 451, S Com 829, 1145

HB 381-FN, allowing a liquor manufacturer to be issued an on-premises license. (McConkey, Carr 3; et al: Commerce and Consumer Affairs)
54, psd 300, 450, S conc 830, enr 1017 (Chapter 169)

HB 382, establishing a committee to study facilitating private investment in energy efficiency and renewable energy. (Borden, Rock 24; et al: Science, Technology and Energy)
54, psd 264, 290, conc S am 787, enr 827 (Chapter 68)

HB 383, relative to the immunization/vaccination registry. (Kurk, Hills 2; et al: Health, Human Services and Elderly Affairs)
55, am 321-323, psd 451, S Com 994, 1145

HB 384, establishing a committee to study the feasibility of privatizing the New Hampshire toll system. (Barry, Hills 21; et al: Public Works and Highways)
55, K 157

HB 385-FN, relative to special motorcycle number plates for disabled veterans. (Rollins, Sull 6; et al: Transportation)
55, ret 1142

HB 386-FN-A, reducing the rate of the business profits tax. (Spillane, Rock 2; et al: Ways and Means)
56, ret 1142

HB 387-FN, relative to motor vehicle inspections. (Spillane, Rock 2; et al: Transportation)
56, K (RC) 194-196, conflict of interest declaration 196

HB 388-FN-A, establishing university number plates. (S. Sweeney, Hills 23; et al: Transportation)
56, ret 1143

HB 389-FN, repealing the certificate of need moratorium. (Tucker, Rock 23; et al: Health, Human Services and Elderly Affairs)
56, K 247

HB 390-FN, relative to stop loss insurance. (Butler, Carr 7; et al: Commerce and Consumer Affairs)
56, K 226-227

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones. (Introne, Rock 5; et al: Science, Technology and Energy)
56, am 519-522, psd (RC) 522-524, 537, LT rej & recon rej 524, conc S am 834, enr am 1021, enr 1072 (Chapter 230)

HB 392-FN, relative to the minimum hourly wage. (White, Graf 13; et al: Labor, Industrial and Rehabilitative Services)
57, K 495

HB 393-FN, including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event. (Moody, Rock 17; et al: Election Law)
57, ret 1143

HB 394-FN, establishing an industrial heritage program within the department of cultural resources. (Cushing, Rock 21; et al: Resources, Recreation and Development)
57, K 102

HB 395-FN, relative to electronic toll collection. (Webb, Rock 6; et al: Transportation)
57, psd 158, 204, conc S am 1016, enr 1071 (Chapter 231)

HB 396-FN, relative to part-time employment by retirees in the New Hampshire retirement system. (Tholl, Coos 5; et al: Executive Departments and Administration)
57, K 317

HB 397, relative to the duties of public servants. (Marple, Merr 24; L. Christiansen, Hills 37: Municipal and County Government)
57, rem 147, K 204

HB 398-FN, relative to the acceptance of documents notarized by a justice of the peace. (Ulery, Hills 37: Judiciary)
57, K 154

HB 399-FN, establishing a force of state capitol security officers with the authority to carry firearms. (Baldasaro, Rock 5; et al: Legislative Administration)
57, ret 1142

HB 400-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives. (Marple, Merr 24; et al: Legislative Administration)
57, ret 1142

HB 401-FN, requiring the use of cloud computing technology by state agencies. (Baber, Straf 14: Executive Departments and Administration)
57, K 167

HB 402-FN, establishing the Franklin Partin right-to-work act. (W. O'Brien, Hills 5; et al: Labor, Industrial and Rehabilitative Services)
57, rem 294, K (RC) 535-537

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities. (Souza, Hills 43; et al: Judiciary)
57, psd (RC) 469-472, recon rej (RC) 472-475, 537, S LT 828

HB 404-FN, relative to showing a ballot. (Hoell, Merr 23; et al: Election Law)
57, K (RC) 235-238

HB 405-FN, requiring the department of health and human services to license supervised visitation centers. (Oligny, Rock 34; et al: Children and Family Law)
57, ret 1143

HB 406, relative to the date of the state primary election. (J. Sweeney, Rock 8; et al: Election Law)
57, rem 207, K 274

HB 407, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. (Hoell, Merr 23; et al: Municipal and County Government)
57, SO 176-177, am & Executive Departments and Administration (RC) 197-201, referral declined 201, psd 204, nonconc S am, conf 835, 993, conferee change 996, rep adop 1054, enr am 1072, enr 1074 (Chapter 232)

HB 408, making a technical correction relative to fees for chiropractors. (C. McGuire, Merr 29: Executive Departments and Administration)
58, am 317, psd 450, S conc 720, enr am 784, enr 824 (Chapter 43)

HB 409, banning corn-based ethanol as an additive to gasoline in New Hampshire. (Pitre, Straf 2: Science, Technology and Energy)
58, K 265

HB 410, relative to the uniform anatomical gift act. (D. McGuire, Merr 21: Executive Departments and Administration)
58, K (RC) 438-440

HB 411, prohibiting the payment of subminimum wages to persons with disabilities. (Ley, Ches 9; et al: Labor, Industrial and Rehabilitative Services)
58, am 329, psd 451, S LT 785

HB 412, relative to reporting of corrective action implementation of audit findings by entities subject to an audit by the legislative budget assistant. (Oligny, Rock 34; et al: Finance)
58, K 210

HB 413-FN-A, establishing the governing board of polysomnographic technologists within the allied health professionals. (P. Schmidt, Straf 19: Executive Departments and Administration)
58, K 440

HB 414-FN, relative to idling by commuter rail locomotives. (Major, Rock 14; et al: Transportation)
58, K 158

HB 415, limiting liability of out-of–state emergency services entities responding to incidents in New Hampshire. (White, Graf 13; et al: Judiciary)
58, am 212 psd 289, S conc 830, enr 1021 (Chapter 170)

HB 416-L, relative to compensation for members of the Coos county convention. (Theberge, Coos 3; et al: Municipal and County Government)
58, K 256, recon 261, psd (RC) 261-264, 290, S conc 824, enr 827 (Chapter 69)

HB 417, relative to reimbursement of fees and out-of-pocket expenses associated with estate administration. (Webb, Rock 6; et al: Judiciary)
58, K 213

HB 418, relative to waiver of rights to inherited property. (Webb, Rock 6; et al: Judiciary)
58, am 326-327, psd 451, S conc 829, enr 991 (Chapter 139)

HB 419, relative to use of insurance scores for rating policies. (Webb, Rock 6; et al: Commerce)
58, K 301

HB 420-FN, relative to limited driving privileges after revocation for certain financial obligations. (Oligny, Rock 34; et al: Transportation)
58, ret 1143

HB 421, authorizing the university of New Hampshire to grow industrial hemp for research purposes. (Moynihan, Coos 2; et al: Environment and Agriculture)
58, am 313-314, psd 450, nonconc S am, conf 834, 993, rep adop 1055, enr 1074 (Chapter 233)

HB 422-FN, relative to the signing authority of physician assistants. (Sherman, Rock 24; et al: Health, Human Services and Elderly Affairs)
58, am 323, psd 451, S conc 785, enr am 826, enr 828 (Chapter 140)

HB 423, designating the bobcat as the New Hampshire state wildcat. (Manley, Hills 3; et al: Fish and Game and Marine Resources)
58, psd 321, 450, S conc 785, enr 825 (Chapter 90)

HB 424, relative to the accessibility of assessment materials. (Ladd, Graf 4; et al: Education)
58, psd 311, 450, S nonconc 824

HB 425, relative to procedures for the adoption of agency rules under the administrative procedures act. (C. McGuire, Merr 29; et al: Executive Departments and Administration)
58, psd 317, 450, conc S am 832, enr am 1022, enr 1071 (Chapter 234)

HB 426, relative to the prohibition on the use of mobile electronic devices while driving. (D. McGuire, Merr 21; et al: Transportation)
59, K (RC) 338-340, LT rej 340

HB 427, relative to the definition of the New Hampshire fire code. (Ladd, Graf 4: Executive Departments and Administration)
59, am 440-441, psd 452, S Com 994, 1145

HB 428, relative to New Hampshire products sold by the liquor commission. (F. Rice, Rock 21; et al: Commerce and Consumer Affairs)
59, K 301

HB 429, reviving the commission to review and consider alcoholic beverage manufacturing processes and retail sales at manufacturing facilities. (F. Rice, Rock 21; et al: Commerce and Consumer Affairs)
59, psd 301, 450, S conc 720, enr 756 (Chapter 14)

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans. (F. Rice, Rock 21; et al: Municipal and County Government)
59, ret 1142

HB 431, relative to the placement of all new elective electric transmission lines in New Hampshire. (Rappaport, Coos 1; et al: Science, Technology and Energy)
59, SO 454, K (RC) 485-488

HB 432, relative to counting votes. (D. McGuire, Merr 21: Election Law)
59, K 210

HB 433, relative to the state guard. (Itse, Rock 10; et al: State-Federal Relations and Veterans Affairs)
59, K (RC) 188-191

HB 434, relative to review of proposed agency administrative rules by standing committees of the general court. (Itse, Rock 10; et al: Legislative Administration)
59, K (RC) 505-508

HB 435, relative to persons held in civil contempt. (Itse, Rock 10; et al: Judiciary)
59, rem 207, K 280

HB 436, relative to the penalty for making a false statement in a criminal complaint. (Itse, Rock 10; et al: Criminal Justice and Public Safety)
59, K 309

HB 437-FN, exempting proprietorships from taxation under the business enterprise tax. (Itse, Rock 10; et al: Ways and Means)
59, rem 208, K 286

HB 438-FN-A, exempting proprietorships from taxation under the business profits tax. (Itse, Rock 10; et al: Ways and Means)
59, rem 208, K (RC) 286-289

HB 439, relative to religious societies. (Itse, Rock 10; et al: Ways and Means)
59, K 343

HB 440, establishing private prosecution of criminal proceedings. (Itse, Rock 10; et al: Criminal Justice and Public Safety)
59, K 309

HB 441, relative to financial affidavits submitted in hearings regarding child support, property settlement, and alimony. (Itse, Rock 10; et al: Children and Family Law)
59, am 371-372, psd 451, conc S am 1015, enr 1071 (Chapter 235)

HB 442, changing references to "law enforcement officer" to "peace officer" in the Revised Statutes Annotated. (Itse, Rock 10; et al: Criminal Justice and Public Safety)
59, K 309

HB 443, clarifying the equity jurisdiction of the judicial branch family division. (Itse, Rock 10; et al: Judiciary)
59, K 475

HB 444-L, exempting certain long-term residents from local school taxes. (Hansen, Hills 22: Municipal and County Government)
59, K 215

HB 445, defining poker as a game of skill. (Spillane, Rock 2; et al: Ways and Means)
59, K (RC) 343-346

HB 446, relative to access to investigational drugs, biological products, and devices. (Wright, Carr 8; et al: Judiciary)
60, LT 475, died on the table 1141

HB 447, relative to quorums for meetings under the right-to-know law. (Grenier, Sull 7; et al: Judiciary)
60, K 327

HB 448, establishing February 6 as Ronald Reagan Day. (Manning, Rock 8; et al: Executive Departments and Administration)
60, K (RC) 441-443

HB 449, relative to the duration of child support. (Jones, Straf 24; et al: Children and Family Law)
60, psd 372, 451, conc S am 832, enr 1027, veto sustained (RC) 1081-1084

HB 450, relative to the definition of employee for purposes of workers' compensation and establishing a commission to study and make recommendations for a common definition of employee. (Murphy, Hills 7; et al: Labor, Industrial and Rehabilitative Services)
60, am 495-499, psd 537, nonconc S am, conf 835, 993, no report filed 1141

HB 451, relative to local approval of mining permits. (Sterling, Ches 14; et al: Municipal and County Government)
60, am 215-216, psd 289, conc S am 833, enr 1027 (Chapter 193)

HB 452, repealing the governor's authority to declare a state of emergency. (Itse, Rock 10; et al: Legislative Administration)
60, K 330

HB 453, relative to special number plates for circuit court judges. (O'Hearne, Sull 3; et al: Transportation)
60, K 220

HB 454, relative to the commandant of the veterans' home. (Theberge, Coos 3; et al: Executive Departments and Administration)
60, K (RC) 444-446

HB 455-FN, relative to the board of managers of the New Hampshire veterans' home. (Theberge, Coos 3; et al: Executive Departments and Administration)
60, am 446, psd 452, conc S am 832, enr am 1066-1067, enr 1072 (Chapter 259)

HB 456, relative to appointment of a veterans' ombudsman by the governor. (Theberge, Coos 3; et al: Executive Departments and Administration)
60, K 317

HB 457-FN-A, establishing a nurse practitioner position at the veterans' home and making an appropriation therefor. (Theberge, Coos 3; et al: Executive Departments and Administration)
60, LT 167, died on the table 1141

HB 458, revising the legislative ethics laws and the guidelines of the legislative ethics committee. (Welch, Rock 13; et al: Legislative Administration)
60, psd 330-331, 451, S Com 824, 1145

HB 459, establishing a committee to study medical services provided to residents of the New Hampshire veterans' home. (Theberge, Coos 3; et al: Executive Departments and Administration)
60, rem 294, LT 534, died on the table 1141

HB 460, establishing a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges. (Cloutier, Sull 10; et al: Public Works and Highways)
60, am 331-332, psd 451, nonconc S am, conf 835, 993, rep adop 1054, enr am 1073, enr 1074 (Chapter 261)

HB 461, prohibiting the use or application of foreign laws in the state court. (LeBreche, Belk 6; et al: Judiciary)
60, LT 475-476, died on the table 1141

HB 462-FN, repealing an increase in the fuel oil discharge cleanup fund fee. (Spillane, Rock 2; et al: Ways and Means)
61, K 335

HB 463, relative to state agency communications. (Leishman, Hills 24; et al: Finance)
61, psd (RC) 238-241, 290, S Com 828, 1145

HB 464, establishing the fishing family protection act, prohibiting political subdivisions from interfering with commercial and recreational operations of fishing families. (Cushing, Rock 21; et al: Municipal and County Government)
61, am 155-156, psd 204, conc S am 834, enr am 1022, enr 1071 (Chapter 236)

HB 465, relative to workers' compensation for domestic employees. (LeBrun, Hills 32; et al: Labor, Industrial and Rehabilitative Services)
61, ret 1142

HB 466, relative to the definition of "implement of husbandry." (D. McGuire, Merr 21; et al: Environment and Agriculture)
61, ret 1142

HB 467-FN, relative to the expiration of OHRV registrations and repealing the authority for 14-month initial OHRV registrations. (Richardson, Coos 4; et al: Transportation)
61, am 268-269, psd 290, S conc & enr am 554, enr 719 (Chapter 2)

HB 468-FN, requiring a warrant to obtain electronic device location information. (Kurk, Hills 2; et al: Executive Departments and Administration)
61, am & Criminal Justice and Public Safety 150-152, psd 544, 551, nonconc S am, conf 1016, 1017, rep adop 1055, enr am 1073, enr 1074 (Chapter 262)

HB 469, relative to highway surveillance. (Kurk, Hills 2; et al: Transportation)
61, K 340

HB 470, relative to jury nullification. (Hoell, Merr 23: Judiciary)
61, K (RC) 476-479

HB 471, relative to the powers of the state board of education and the duties of school boards. (Cordelli, Carr 4; et al: Education)
61, ret 1143

HB 472, relative to the parole board and parole board procedures. (Sytek, Rock 8; et al: Executive Departments and Administration)
61, vac Criminal Justice and Public Safety 79, psd 309, 450, conc S am 934, enr 1027 (Chapter 194)

HB 473, relative to the smoking policy at the New Hampshire veterans' home. (Moffett, Merr 9; et al: Executive Departments and Administration)
61, am 318, psd 450, nonconc S am, conf 835, 993, no report filed 1141

HB 474, relative to grounds for denial of a chartered public school application. (Horrigan, Straf 6; et al: Education)
61, K 311

HB 475, prohibiting the state from engaging in acts of civil forfeiture. (Marple, Merr 24; et al: Executive Departments and Administration)
61, ret 1143

HB 476-FN, amending the definition of "qualifying medical condition" in the therapeutic cannabis law. (Stephen Schmidt, Carr 6; et al: Health, Human Services and Elderly Affairs)
61, am 248, psd 290, conc S am 833, enr 1027 (Chapter 195)

HB 477-FN-L, relative to workers' compensation benefits and establishing payment schedules. (Flanagan, Hills 26; et al: Labor, Industrial and Rehabilitative Services)
61, ret 1143

HB 478, relative to rulemaking for market conduct record retention and production. (Butler, Carr 7; et al: Commerce and Consumer Affairs)
61, psd 301, 450, S conc 785, enr 825 (Chapter 91)

HB 479, relative to uninsured or hit-and-run motor vehicle coverage. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
61, psd 301, 450, conc S am 1015, enr 1071 (Chapter 237)

HB 480, relative to policies for property and casualty insurance. (Hunt, Ches 11: Commerce and Consumer Affairs)
61, psd 301, 450, S conc 824, enr 827 (Chapter 70)

HB 481, relative to commercial insurance. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
61, psd 301-302, 450, S conc 785, enr 825 (Chapter 92)

HB 482, relative to the insurance claims adjuster definition. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
61, psd 302, 450, S conc 785, enr 825 (Chapter 93)

HB 483, relative to the commission on primary care workforce issues. (Sherman, Rock 24; et al: Health, Human Services and Elderly Affairs)
61, am 211-212, psd 289, nonconc S am, conf 835, 993, conferee change 992, rep adop 1055, enr 1074 (Chapter 238)

HB 484, relative to the board of nursing and exemptions from licensure by the board. (Suzanne Smith, Graf 8; et al: Executive Departments and Administration)
62, am 318-319, psd 450, conc S am 833, enr am 1022, enr 1071 (Chapter 239)

HB 485, relative to license restoration fees. (Leeman, Straf 23; et al: Transportation)
62, K 341

HB 486, authorizing towns and cities to establish special assessment districts. (Carson, Merr 7; et al: Municipal and County Government)
62, psd 216, 289, conc S am 1016, enr am 1071, enr 1074 (Chapter 240)

HB 487, requiring that planning board and zoning board of adjustment members be elected. (Comeau, Carr 5; et al: Municipal and County Government)
62, K 216

HB 488, relative to an abusive work environment and the health and safety of public employees. (Schuett, Merr 20; et al: Executive Departments and Administration)
62, ret 1143

HB 489, relative to annulment of mental health records. (Hannon, Straf 25; et al: Health, Human Services and Elderly Affairs)
62, rem 207, LT rej & K 280

HB 490-FN, prohibiting the retail sale of reloadable aerial shell fireworks. (Cooney, Graf 8; et al: Criminal Justice and Public Safety)
62, K 389

HB 491, relative to immunity for school personnel using reasonable force to protect a minor. (Gidge, Hills 33; et al: Education)
62, am 311, psd 450, S nonconc 824

HB 492, relative to military and historic re-enactments and commemorations. (Welch, Rock 13; et al: Criminal Justice and Public Safety)
62, rem 94, rcmt 122, rem 293, am 526-527, psd (RC) 527-529, 537, S conc 785, enr 825 (Chapter 94)

HB 493, relative to minimum voting booths for city or town elections. (Hansberry, Hills 35; et al: Election Law)
62, psd 149, 204, conc S am 832, enr 1027 (Chapter 196)

HB 494, relative to industrial hemp as a controlled substance. (Edwards, Hills 11; et al: Criminal Justice and Public Safety)
62, psd 309, 450, S nonconc 824

HB 495, relative to referral fees for settlement services. (DiSilvestro, Hills 9; et al: Commerce and Consumer Affairs)
62, psd 375, 451, conc S am 1015, enr 1071 (Chapter 241)

HB 496-FN-L, prohibiting public employers from using criminal history in employment decisions. (Heffron, Rock 18; et al: Labor, Industrial and Rehabilitative Services)
62, LT 499-500, died on the table 1141

HB 497, relative to interference with a cemetery burial plot. (Jones, Straf 24; et al: Municipal and County Government)
62, psd 216, 289, S conc 785, enr 825 (Chapter 95)

HB 498, relative to notification of radon and arsenic testing. (Hunt, Ches 11; et al: Commerce and Consumer Affairs)
62, psd 302, 450, S conc 827, enr 1017 (Chapter 171)

HB 499, permitting New Hampshire farmers to sell certain farm raised animals directly to the public. (Chandler, Carr 1; et al: Environment and Agriculture)
62, ret 1143

HB 500, repealing the prohibition on the use of silencing devices for taking wildlife. (Burt, Hills 39; et al: Fish and Game and Marine Resources)
62, ret 1143

HB 501, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces. (Cheney, Straf 17; et al: Municipal and County Government)
62, ret 1143

HB 502, relative to petitions for verification of checklists. (Cheney, Straf 17; et al: Election Law)
62, psd 149, 204, S Com 824, 1145

HB 503, relative to presidential primary ballots. (Fields, Belk 4; et al: Election Law)
62, psd 149, 204, S conc 785, enr 825 (Chapter 96)

HB 504, relative to online driver education. (Packard, Rock 5; et al: Transportation)
62, ret 1143

HB 505, relative to baiting for game birds and game animals by persons with a disability. (Burt, Hills 39; et al: Fish and Game and Marine Resources)
62, ret 1143

HB 506, clarifying the conditions under which motor vehicle information may be used. (T. Walsh, Merr 24; et al: Transportation)
63, am 333-334, psd 451, conc S am 834, enr am 1022, enr 1072 (Chapter 242)

HB 507, relative to teacher personally identifiable data. (Cordelli, Carr 4; et al: Education)
63, am 311-312, psd 450, S conc 824, enr 827 (Chapter 71)

HB 508, relative to the dissolution of the New Hampshire medical malpractice joint underwriting association. (Hunt, Ches 11: Judiciary)
63, vac Commerce and Consumer Affairs 79, am 375-376, psd 451, nonconc S am, conf 1016, 1017, conferee change 1018, rep adop & conflict of interest declaration 1055, enr am 1073, enr 1074 (Chapter 263)

HB 509, relative to jury tampering by magistrates. (Marple, Merr 24; et al: Judiciary)
63, K 154

HB 510, establishing a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers. (Williams, Hills 4: Executive Departments and Administration)
63, psd 319, 450, conc S am 787, enr 827 (Chapter 72)

HB 511, relative to funding of eligible infrastructure projects. (Schroadter, Rock 17; et al: Resources, Recreation and Development)
64, am 332-333, psd 451, S conc 720, enr 756 (Chapter 15)

HB 512, prohibiting the confiscation of firearms, ammunition, or firearms accessories during a state of emergency. (LeBreche, Belk 6; et al: Criminal Justice and Public Safety)
64, ret 1143

HB 513, relative to complaint investigation procedures of the guardian ad litem board. (Oligny, Rock 34; et al: Children and Family Law)
64, ret 1143

HB 514, revising the child support guidelines. (Oligny, Rock 34; et al: Children and Family Law)
64, K 372

HB 515-FN, relative to oversight of guardians ad litem by the guardian ad litem board. (Oligny, Rock 34; et al: Children and Family Law)
64, ret 1143

HB 516, relative to the determination of parental rights based on the best interest of the child and relative to grounds for modification of an order regarding parental rights and responsibilities. (Oligny, Rock 34; et al: Children and Family Law)
64, LT 372-373, died on the table 1141

HB 517, relative to disciplinary actions for physicians whose license to practice is suspended or revoked. (Leeman, Straf 23; et al: Health, Human Services and Elderly Affairs)
64, K 323

HB 518, relative to authority to establish fees for licenses issued by the fish and game department. (Kidder, Merr 5; et al: Fish and Game and Marine Resources)
64, ret 1143

HB 519, establishing a committee to study department of education policies affecting dyslexic students. (Kidder, Merr 5; et al: Education)
64, psd 422, 451, conc S am 832, enr 1021 (Chapter 172)

HB 520, establishing privacy protections for student online personal information. (Cordelli, Carr 4; et al: Education)
64, psd 422, 451, S conc 785, enr am 826, enr 828 (Chapter 128)

HB 521, relative to the size of the pool of the workers' compensation appeals board. (Goley, Hills 8: Labor, Industrial and Rehabilitative Services)
64, am 329-330, psd 451, S Com 830, 1145

HB 522, making certain changes in the law governing toxic substances in the workplace to comply with federal law. (Goley, Hills 8; et al: Labor, Industrial and Rehabilitative Services)
64, psd 330, 451, S conc 785, enr am 826-827, enr 828 (Chapter 141)

HB 523, relative to the jurisdiction of the penalty appeal board. (Goley, Hills 8; et al: Labor, Industrial and Rehabilitative Services)
64, psd 330, 451, S conc 785, enr 825 (Chapter 97)

HB 524-FN-L, relative to the calculation of default budgets. (F. McCarthy, Carr 2; et al: Municipal and County Government)
64, K 216

HB 525, relative to appropriations in the county budget. (F. McCarthy, Carr 2; et al: Municipal and County Government)
64, rem 207, K 281

HB 526, relative to transfers of appropriations in Carroll county. (F. McCarthy, Carr 2; et al: Municipal and County Government)
62, am 256-257, psd 290, S conc 785, enr 825 (Chapter 98)

HB 527, establishing guidelines for school districts relative to the use of school resource officers. (Gile, Merr 27; et al: Education)
63, ret 1143

HB 528, relative to motor vehicle records provided to insurance companies. (Simmons, Hills 17; et al: Commerce and Consumer Affairs)
63, K 302

HB 529, relative to party conventions. (Simmons, Hills 17; et al: Election Law)
63, psd 149, 204, S Com 824, 1145

HB 530-FN-A, authorizing a trial program for electronic voter check-in. (Gray, Straf 8: Election Law)
63, K 167

HB 531, establishing a committee to study short-term rentals by homeowners and owners of residential properties. (Butler, Carr 7; et al: Commerce and Consumer Affairs)
63, psd 302, 450, conc S am 1015, enr 1067 (Chapter 197)

HB 532, relative to commercial vessel insurance and eliminating the mooring appeals board. (Hinch, Hills 21; et al: Transportation)
63, K 334

HB 533, relative to arc-fault circuit-breaker protection in residential construction. (Groen, Straf 10; et al: Executive Departments and Administration)
63, ret 1143

HB 534, relative to the duties of the housing finance authority. (Flanagan, Hills 26; et al: Finance)
64, psd 210, 289, S conc 720, enr 756 (Chapter 16)

HB 535-FN, relative to signs advising motorists approaching highway emergencies. (Byron, Hills 20; et al: Transportation)
64, ret 1143

HB 536, relative to payment for special education services for chartered public school students and relative to federal funds for chartered public schools. (Burton, Straf 6: Education)
64, ret 1143

HB 537-FN-L, relative to the calculation of the school administrative unit budget. (Pitre, Straf 2: Education)
65, K 163

HB 538-FN-L, relative to the implementation of new statewide education assessments. (Murotake, Hills 32; et al: Education)
65, ret 1143

HB 539-FN, establishing an early learning incentive fund in the department of education. (Gile, Merr 27; et al: Finance)
65, K 241

HB 540-FN, relative to access to court records in parenting cases. (Brewster, Merr 21; et al: Judiciary)
65, K 255

HB 541-FN, relative to cellular mobile radio communications as public utilities. (Hansen, Hills 22; et al: Science, Technology and Energy)
65, K 333

HB 542, relative to motor vehicle emission requirements. (Parison, Hills 25; et al: Transportation)
65, K 334

HB 543, repealing the electric renewable portfolio standard. (Fromuth, Hills 7; et al: Science, Technology and Energy)
65, LT (RC) 265-268, died on the table 1141

HB 544, allowing the general court to deny a utility the use of the power of eminent domain. (Rappaport, Coos 1; et al: Science, Technology and Energy)
65, K 524-525

HB 545, relative to eligibility for office. (Hinch, Hills 21; et al: Election Law)
65, psd 150, 204, S conc 785, enr 825 (Chapter 99)

HB 546, relative to exactions for improvements related to innovative land use controls. (Abramson, Rock 20; et al: Municipal and County Government)
65, ret 1143

HB 547, reestablishing the exemption from property taxation for telecommunications poles and conduits. (C. McGuire, Merr 29; et al: Ways and Means)
66, am 346-347, psd (RC) 347-350, 451, nonconc S am, conf 835, 993, no report filed 1141

HB 548, establishing the federally-facilitated health exchange as the health exchange for New Hampshire. (Butler, Carr 7; et al: Commerce and Consumer Affairs)
66, K (RC) 376-379

HB 549-FN-A-L, allowing school building aid grants for certain authorized projects. (Mullen, Straf 1; et al: Education)
66, ret 1143

HB 550-FN, relative to administration of the tobacco tax. (R. Ober, Hills 37; et al: Ways and Means)
66, psd 220, 290, nonconc S am, conf 1016, 1018, conferee change 1019, rep adop (RC) 1055-1058, enr am 1073, enr 1074, veto sustained (RC) 1084-1087

HB 551-FN, relative to preventing diversion of business income to tax havens. (Ames, Ches 9; et al: Ways and Means)
66, SO 350, LT 525-526, died on the table 1141

HB 552-FN, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees. (Schleien, Hills 37; et al: Ways and Means)
66, ret 1143

HB 553-FN, relative to dealer registration privileges by a dealership management company and proof of ownership of a vehicle at the time of sale. (Packard, Rock 5; et al: Transportation)
66, am 341-342, psd 451, S conc 834, enr 1027 (Chapter 198)

HB 554-FN, relative to sales of beer in refillable containers. (Williams, Hills 4; et al: Commerce)
66, am & psd (RC) 379-382, 451, S nonconc 785

HB 555, relative to participation of chartered public school students in school district co-curricular activities. (Cordelli, Carr 4; et al: Education)
66, am 422, psd 451, S Com 785, 1145

HB 556-FN-L, establishing a cash balance plan for public employees in the retirement system. (Kurk, Hills 2; et al: Special Committee on Public Employee Pension Plans)
66, ret 1143

HB 557-FN, relative to penalties for driving while intoxicated, third and fourth offenses. (Estevez, Hills 37; et al: Criminal Justice and Public Safety)
66, K 309

HB 558-FN, establishing a clean water tax credit. (Schroadter, Rock 17: Ways and Means)
66, K 220

HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire. (Hinch, Hills 21: Transportation)
66, LT rej & psd 269, 290, S conc 785, enr 825 (Chapter 111)

HB 560-FN, including a fetus in the definition of "another" for the purpose of certain criminal offenses. (Rideout, Coos 7; et al: Criminal Justice and Public Safety)
68, psd (2 RCs) 389-395, 451, S Com 828, 1145

HB 561-FN, relative to the use of revenues generated by electric and other utility company leases and rentals. (Ladd, Graf 4; et al: Finance)
68, K 319

HB 562-FN-L, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities. (Bates, Rock 7; et al: Education)
68, Finance 163, ret 1143

HB 563-FN, relative to funding for chartered public school pupils. (Weyler, Rock 13; et al: Finance)
68, am & psd (RC) 456-460, 537, conflict of interest declaration 460, S LT 828

HB 564-FN, relative to prior authorization for certain prescription drugs. (Sherman, Rock 24; et al: Health, Human Services and Elderly Affairs)
68, am 461, psd 537, conc S am 833, enr 1027 (Chapter 199)

HB 565-FN, relative to banning the use of boats on certain waters with a confirmed exotic aquatic species infestation. (Spang, Straf 6; et al: Resources, Recreation and Development)
68, K 218

HB 566-FN-L, relative to consolidation of school administrative units. (Cloutier, Sull 10; et al: Education)
68, K 312

HB 567-FN, establishing breast cancer and pediatric cancer special number plates. (Comtois, Belk 7; et al: Transportation)
68, ret 1143

HB 568-FN, requiring a supervisory law enforcement officer to arrest a law enforcement officer when the supervisor knows that the law enforcement officer has committed a criminal offense. (Tasker, Rock 2; et al: Criminal Justice and Public Safety)
67, rem 293, K (RC) 529-532

HB 569-FN-A, including certain nonprofit charitable enterprises under the business enterprise tax and reducing the rate of the tax. (Hess, Merr 24; et al: Ways and Means)
67, ret 1143

HB 570-FN, establishing a condominium dispute resolution board. (Williams, Hills 4; et al: Commerce and Consumer Affairs)
67, K 382-383

HB 571-FN-A, relative to taxation of trusts under the interest and dividends tax. (Hess, Merr 24: Ways and Means)
67, ret 1143

HB 572-FN-L, relative to taking land by eminent domain for high pressure gas pipelines and requiring payment of the land use change tax when land is taken by eminent domain to build energy infrastructure. (J. Belanger, Hills 27; et al: Municipal and County Government)
67, am & Ways and Means 156-157, psd (RC) 548-550, 551, nonconc S am, conf 1016, 1018, rep adop 1058, enr am 1073, enr 1074 (Chapter 264)

HB 573-FN, relative to licensure of individuals as private investigators, bail enforcement agents, and security guards, requiring skills training courses for applicants for such licensure and license renewal, and relative to the certification of security officer instructors. (Theberge, Coos 3: Executive Departments and Administration)
67, K 95

HB 574-FN, relative to regional greenhouse gas initiative distributions to residential customers. (Borden, Rock 24; et al: Science, Technology and Energy)
67, K 525

HB 575-FN-A, establishing the position of school nurse coordinator in the department of education and making an appropriation therefor. (Frazer, Merr 13; et al: Education)
67, K (RC) 163-166

HB 576-FN-A, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected and continually appropriating 3 percent of meals and rooms tax revenues to school building aid. (Cahill, Rock 17; et al: Ways and Means)
67, K & conflict of interest declaration 197

HB 577-FN-A-L, establishing a children's savings account program. (Gile, Merr 27; et al: Education)
67, am & Finance 148, psd 544, 551, nonconc S am, conf 992, 1018, rep adop (RC) 1058-1061, enr am 1074-1075, enr 1075 (Chapter 271)

HB 578-FN, relative to state board of education compliance with unfunded federal education mandates. (Ladd, Graf 4; et al: Education)
67, psd (RC) 423-425, 451, S nonconc 824

HB 579-FN, establishing a maple products coordinator in the department of agriculture, markets, and food using federal funds. (Massimilla, Graf 1; et al: Environment and Agriculture)
67, K 314

HB 580-FN, relative to travel expenses for members of the building code review board. (Umberger, Carr 2: Finance)
67, K 319

HB 581-FN, requiring schools to continue the education of a child during the child's suspension or expulsion. (Gile, Merr 27; et al: Education)
67, ret 1143

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. (Comtois, Belk 7; et al: Criminal Justice and Public Safety)
67, ret 1143

HB 583-FN, requiring state law enforcement officers to wear a camera when interacting with the public and making an appropriation therefor. (Cushing, Rock 21; et al: Criminal Justice and Public Safety)
67, ret 1143

HB 584-FN, making various changes to laws relating to motor vehicles and vessels. (Hinch, Hills 21: Transportation)
67, am 342-343, psd 451, conc S am 834, enr am 1071, enr 1074 (Chapter 243)

HB 585-FN-A, relative to fines for violation of alcoholic beverage laws. (Cushing, Rock 21; et al: Criminal Justice and Public Safety)
67, am & Ways and Means (RC) 159-162, ret 1143

HB 586-FN-L, relative to registration of automobile utility trailers. (Hill, Merr 3; et al: Transportation)
68, ret 1143

HB 587-FN, repealing the registration fee for sexual offenders and offenders against children. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)
68, K 148

HB 588-FN-A-L, extending the Coos county job creation tax credit to Carroll county. (F. McCarthy, Carr 2; et al: Ways and Means)
68, K 335

HB 589-FN, relative to prohibited coercion of political contributions. (Gray, Straf 8; et al: Election Law)
68, ret 1143

HB 590-FN, relative to the accountability of public officials. (L. Christiansen, Hills 37; et al: Criminal Justice and Public Safety)
68, K 309

HB 591-FN-A-L, relative to the road toll rate and eliminating a capital appropriation for highway projects. (Spillane, Rock 2; et al: Public Works and Highways)
68, K (RC) 177-180

HB 592-FN, relative to vulnerable users of highways. (Gould, Hills 7; et al: Criminal Justice and Public Safety)
69, K 395

HB 593-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use. (Wright, Carr 8; et al: Health, Human Services and Elderly Affairs)
69, psd (2 RCs) 461-466, 537, S Com 828, 1145

HB 594-FN-A, establishing keno. (L. Ober, Hills 37; et al: Ways and Means)
69, ret 1143

HB 595-FN, relative to banning abortion after viability. (Murphy, Hills 7; et al: Judiciary)
69, LT 479-480, died on the table 1141

HB 596-FN-L, relative to health insurance plans of public employers. (Murphy, Hills 7; et al: Commerce and Consumer Affairs)
69, ret 1143

HB 597-FN, relative to penalties for indecent exposure and lewdness. (Byron, Hills 20: Criminal Justice and Public Safety)
69, rcmt 105, am 396, psd 451, conc S am 832, enr 1027 (Chapter 200)

HB 598, relative to the definition of deadly force. (Abramson, Rock 20; et al: Criminal Justice and Public Safety)
69, rem 293, K 532

HB 599, relative to the economic revitalization zone tax credit program. (Weyler, Rock 13; et al: Ways and Means)
69, am 336, psd 451, nonconc S am, conf 836, 993, conferee change 996, rep adop 1061, enr am 1073-1074, enr 1074 (Chapter 265)

HB 600-FN, relative to paid sick leave for employees. (Gile, Merr 27; et al: Labor, Industrial and Rehabilitative Services)
69, K (RC) 500-503

HB 601-FN, relative to cash dispensing machine requirements. (Schleien, Hills 37; et al: Commerce and Consumer Affairs)
69, ret 1143

HB 602-FN, relative to the use of drones. (Kurk, Hills 2; et al: Executive Departments and Administration)
69, ret 1144

HB 603, relative to student exemptions from assessments, questionnaires, or surveys. (Hoell, Merr 23; et al: Education)
69, am 425-426, psd 452, S conc 827, enr 991, veto sustained (RC) 1114-1117

HB 604, relative to the use of mixed use school busses by special education pupils. (Jones, Straf 24; et al: Education)
69, am 312, psd 450, S conc 785, enr 825 (Chapter 100)

HB 605-FN, eliminating mandatory minimum sentences. (Gagne, Hills 13; et al: Criminal Justice and Public Safety)
69, ret 1144

HB 606-FN-L, relative to costs for public records filed electronically. (Bickford, Straf 3: Judiciary)
69, am 480-481, psd (RC) 481-483, 537, S Com 720, 1145

HB 607, relative to fees for carrying a concealed firearm. (Bickford, Straf 3: Municipal and County Government)
69, psd 216, 289, S conc 785, enr am 827, enr 828 (Chapter 124)

HB 608-FN-A, relative to liquor licenses at games of chance facilities. (D. Sullivan, Hills 42; et al: Commerce and Consumer Affairs)
69, K 302

HB 609-FN, relative to hydraulic fracturing. (Horrigan, Straf 6; et al: Environment and Agriculture)
69, K (RC) 429-431

HB 610, relative to a school board vote on the reassignment of a pupil. (Gottling, Sull 2; et al: Education)
69, psd 312, 450, S conc 785, enr 825 (Chapter 125)

HB 611-FN, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education. (Hill, Merr 3; et al: Education)
69, ret 1144

HB 612-FN, establishing a penalty for falsifying information to obtain a protective order. (Estevez, Hills 37; et al: Criminal Justice and Public Safety)
70, K 309-310

HB 613, relative to governmental records exempted under the right-to-know law. (Sad, Ches 1; et al: Judiciary)
70, am 483, psd 537, S Com 994, 1145

HB 614-FN, implementing goals of the state 10-year energy strategy. (Danielson, Hills 7; et al: Science, Technology and Energy)
70, SO 491, am 491-492, psd 537, nonconc S am, conf 992, 1018, conferee change 1018, rep adop 1061, enr 1074 (Chapter 219)

HB 615-FN-A, relative to funding for state energy efficiency programs. (Backus, Hills 19; et al: Science, Technology and Energy)
70, K (RC) 186-188

HB 616-FN, increasing eligibility of claimants under the victims' assistance fund. (Cushing, Rock 21; et al: Judiciary)
70, am & Finance 171-172, referral declined 177, psd 204, conc S am 833, enr 1027 (Chapter 201)

HB 617-FN-A, requiring state police to wear a camera when interacting with the public. (Tasker, Rock 2; et al: Criminal Justice and Public Safety)
70, ret 1144

HB 618-FN, relative to penalties for the possession of marijuana and relative to the cultivation of marijuana plants. (Schroadter, Rock 17; et al: Criminal Justice and Public Safety)
70, am 396-397, psd (RC) 397-399, 451, S LT 997

HB 619-FN-L, establishing noise barrier programs and making an appropriation therefor. (Murphy, Hills 7; et al: Public Works and Highways)
70, ret 1144

HB 620-FN, relative to the Interstate Voter Registration Crosscheck Program. (Notter, Hills 21; et al: Election Law)
70, rem 207, K 275

HB 621-FN, establishing fines for violations of the "wide berth" laws. (Byron, Hills 20; et al: Transportation)
70, psd 269, 290, S conc 785, enr 825 (Chapter 112)

HB 622-FN-A, relative to taxation of the taxable estates of decedents. (Cloutier, Sull 10: Ways and Means)
70, K 336-337

HB 623-FN, providing property tax relief for taxpayers for the property tax year beginning April 1, 2016. (Brewster, Merr 21; et al: Ways and Means)
70, K 197

HB 624-FN-L, relative to animal care costs in animal cruelty cases. (Booras, Hills 33: Environment and Agriculture)
70, K 314

HB 625-FN-A, relative to public charter schools. (Weyler, Rock 13; et al: Education)
70, ret 1144

HB 626-FN-A, authorizing energy infrastructure development and designating energy infrastructure corridors. (Suzanne Smith, Graf 8; et al: Science, Technology and Energy)
70, ret 1144

HB 627-FN, relative to registering to vote. (Marston, Hills 19; et al: Election Law)
70, rem 207, K (RC) 275-277

HB 628-FN, relative to indemnification of health care facilities under certain circumstances. (Sherman, Rock 24; et al: Health, Human Services and Elderly Affairs)
70, am 324, psd 451, S Com 829, 1145

HB 629-FN, relative to induced termination of pregnancy statistics. (Souza, Hills 43; et al: Health, Human Services and Elderly Affairs)
70, ret 1144

HB 630-FN-A, establishing the New Hampshire video lottery. (D. McGuire, Merr 21; et al: Ways and Means)
70, ret 1144

HB 631-FN-A, making an appropriation to the New Hampshire state house bicentennial education and commemoration fund. (Rowe, Hills 22; et al: Finance)
70, K 242

HB 632-FN, relative to fiscal impact statements submitted by agencies adopting a rule under RSA 541-A. (Weyler, Rock 13; et al: Executive Departments and Administration)
70, K 446

HB 633-FN, establishing the right-to-know grievance commission and relative to notice of meetings under the right-to-know law. (Weyler, Rock 13; et al: Judiciary)
70, K 327

HB 634-FN-A, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief. (Ames, Ches 9; et al: Ways and Means)
71, ret 1144

HB 635-FN, relative to aid to school districts for costs of special education. (Cloutier, Sull 10; et al: Education)
71, K 166

HB 636-FN, relative to forfeiture of property. (D. McGuire, Merr 21; et al: Criminal Justice and Public Safety)
71, vac Judiciary 79, ret 1144

HB 637-FN, relative to acts of falsification in family law cases. (Oligny, Rock 34; et al: Children and Family Law)
71, K 373

HB 638-FN-A, reestablishing the catastrophic illness program and making an appropriation therefor. (Barry, Hills 21; et al: Finance)
71, K 242

HB 639-FN-L, repealing the resident tax, relative to tax collection under RSA 80, and establishing a legislative commission to revise RSA 80 governing the collection and enforcement of taxes. (Ulery, Hills 37: Municipal and County Government)
71, K 157

HB 640-FN, establishing the crime of criminal coercion. (Marple, Merr 24; et al: Criminal Justice and Public Safety)
71, K 310

HB 641-FN, relative to certain causes of action by inhabitants of this state. (Marple, Merr 24; et al: Judiciary)
71, K 327

HB 642-FN-L, allowing gold and silver as lawful mediums of exchange. (Marple, Merr 24; et al: Executive Departments and Administration)
71, K 106

HB 643-FN, relative to recovery of certain lottery winnings. (Beaudoin, Straf 9: Ways and Means)
71, K 350

HB 644-FN, relative to regulation of small loans, title loans, and payday loans. (Jones, Straf 24: Commerce and Consumer Affairs)
71, am 302-303, psd 450, S conc 785, enr 827 (Chapter 73)

HB 645-FN, relative to the licensure and regulation of child day care agencies. (Piper, Graf 10; et al: Executive Departments and Administration)
71, Criminal Justice and Public Safety 152, psd 544, 551, S Com 994, 1145

HB 646-FN-L, allowing public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law. (P. Long, Hills 10; et al: Judiciary)
71, LT 483-484, died on the table 1141

HB 647-FN, exempting convictions for simple assault from an extended term of imprisonment and relative to annulments of certain criminal convictions. (Parison, Hills 25; et al: Criminal Justice and Public Safety)
71, LT 399, died on the table 1141

HB 648-FN, requiring detention until arraignment for persons arrested for violation of protective orders and increasing the fee for bail commissioners. (D. Sullivan, Hills 42; et al: Criminal Justice and Public Safety)
71, am 400, psd 451, S conc 824, enr 827 (Chapter 74)

HB 649-FN, relative to campaign contributions. (Ulery, Hills 37: Election Law)
71, K 210

HB 650-FN, requiring background checks for commercial firearms sales. (Rogers, Merr 28; et al: Criminal Justice and Public Safety)
71, K (RC) 400-403, conflict of interest declaration 403

HB 651-FN-L, transferring the portion of special education costs directly related to health issues to the department of health and human services. (Seaworth, Merr 20; et al: Finance)
71, K 320

HB 652-FN, relative to undeclared voters. (Hansberry, Hills 35; et al: Election Law)
72, K 210

HB 653-FN, prohibiting the use of sex offender registry information for the purpose of harassing, intimidating, or threatening a registered sexual offender or offender against children, or any family member, employer or landlord of such person. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)
72, K 403

HB 654-FN-A-L, relative to the distribution of marriage license fees and the funding source for the domestic violence grant program. (Bickford, Straf 3: Finance)
72, K 210-211

HB 655-FN, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. (Eastman, Hills 28; et al: Ways and Means)
72, LT 350-351, died on the table 1141

HB 656-FN-L, relative to inspection of governmental records under the right-to-know law. (Leeman, Straf 23; et al: Judiciary)
72, K 327

HB 657-FN-A-L, relative to video lottery. (D. Sullivan, Hills 42: Ways and Means)
72, K 104

HB 658-FN, prohibiting collective bargaining agreements that require employees to join a labor union. (Baldasaro, Rock 5; et al: Labor, Industrial and Rehabilitative Services)
72, SO 363, psd (RC) 447-449, 452, recon rej 449, S LT 785

HB 659-FN-L, allowing all voters to vote by absentee ballot. (Rogers, Merr 28; et al: Election Law)
72, ret 1144

HB 660-FN, relative to small farms and farmstands. (Comtois, Belk 7; et al: Environment and Agriculture)
72, K 432

HB 661-FN, relative to record keeping for sold or transferred animals. (Gardner, Straf 15; et al: Executive Departments and Administration)
72, ret 1144

HB 662-FN-L, relative to property taxes paid by chartered public schools leasing property. (Williams, Hills 4; et al: Municipal and County Government)
72, psd 216, 289, nonconc S am, conf 835, 993, rep adop (RC) 1061-1064, enr am 1074, enr 1074 (Chapter 266)

HB 663-FN, requiring the implementation of a plan for the transfer of the fish and game department to the department of safety on or before July 1, 2017. (Burt, Hills 39; et al: Fish and Game and Marine Resources)
72, K 171

HB 664-FN, consolidating existing oil pollution funds. (C. Christensen, Hills 21; et al: Ways and Means)
72, am 337, psd 451, S conc 785, enr am 828-829, enr 991 (Chapter 142)

HB 665-FN, relative to nomination papers. (Abramson, Rock 20; et al: Election Law)
72, rem 207, K (RC) 277-280

HB 666-FN, relative to licensing of money transmitters. (Jones, Straf 24: Commerce and Consumer Affairs)
72, am 303-306, psd 450, conc S am 1015, enr am 1071, enr 1072 (Chapter 258)

HB 667-FN, relative to aquatic invasive species and authorizing a program to inspect boats for the presence of aquatic invasive species. (Spang, Straf 6; et al: Resources, Recreation and Development)
72, K 333

HB 668-FN, relative to expense deductions under the business profits tax. (Sanborn, Hills 41; et al: Ways and Means)
72, ret 1144

HB 669-FN-L, requiring law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams. (Sylvia, Belk 6; et al: Criminal Justice and Public Safety)
72, K (RC) 403-406

HB 670-FN, relative to the rights of conscience for medical professionals. (Groen, Straf 10; et al: Health, Human Services and Elderly Affairs)
72, rem 147, K (RC) 201-203

HB 671-FN-A, establishing a state mental health first aid program and making an appropriation therefor. (MacKay, Merr 14; et al: Health, Human Services and Elderly Affairs)
72, am & Finance 153, K 320

HB 672-FN, establishing a state bank. (Cloutier, Sull 10; et al: Ways and Means)
72, vac Commerce and Consumer Affairs 79, ret 1144

HB 673-FN-A, establishing a sales and use tax. (Shattuck, Hills 1: Ways and Means)
72, K (RC) 351-353

HB 674-FN, relative to the salaries of certain unclassified positions. (P. Schmidt, Straf 19: Executive Departments and Administration)
73, am & Finance 167-168, K 320

HB 675-FN, relative to eligibility for in-state tuition rates at the university system of New Hampshire and the community college system of New Hampshire. (Gottling, Sull 2; et al: Education)
73, K 166

HB 676-FN-A, establishing a science, technology, engineering, and mathematics scholars program. (Kurk, Hills 2; et al: Education)
73, rem 147, LT 201, died on the table 1141

HB 677-FN, prohibiting the use of public funds for abortion services. (Groen, Straf 10; et al: Judiciary)
73, K (RC) 172-175

HB 678-FN, requiring evaluation of vendor performance on certain state contracts. (Seidel, Hills 28; et al: Finance)
73, K 211

HB 679-FN, establishing tax deferrals for expansion of natural gas distribution systems. (Shattuck, Hills 1: Ways and Means)
73, K 353-354

HB 680-FN-L, relative to establishing the rate for and the collection of the education property tax and establishing a homestead exemption from the education property tax. (Shattuck, Hills 1: Ways and Means)
73, K 337

HB 681-FN-A, increasing the marriage license fee. (Cushing, Rock 21; et al: Commerce and Consumer Affairs)
73, psd (2 RCs) 354-359, 451, nonconc S am, conf 836, 993, rep adop (RC) 1064-1066, enr 1074 (Chapter 244)

HB 682-FN, granting group II retirement system status to certain positions in the department of corrections. (Cushing, Rock 21; et al: Criminal Justice and Public Safety)
73, K 168

HB 683-FN, regulating cash for gold businesses. (Williams, Hills 4: Commerce and Consumer Affairs)
73, K 383

HB 684-FN, establishing a state minimum hourly rate. (Cilley, Straf 4; et al: Labor, Industrial and Rehabilitative Services)
73, SO 460, K (RC) 488-491

HB 685-FN, prohibiting a state agency, state employee, or political subdivision from enforcing any federal law regarding a firearm, firearm accessory, or ammunition. (Hoell, Merr 23: Criminal Justice and Public Safety)
73, K (RC) 406-409

HB 686-FN-A, establishing a single payer health care system and making an appropriation therefor. (McNamara, Hills 38; et al: Commerce and Consumer Affairs)
73, K 159

HB 687-FN-L, relative to eligibility for Medicaid. (Hess, Merr 24: Health, Human Services and Elderly Affairs)
73, K 153-154

HB 688-FN-L, relative to establishing an agricultural education number plate. (Bixby, Straf 17: Transportation)
73, ret 1144

HB 689, relative to adoption of a default budget. (Ammon, Hills 40; et al: Municipal and County Government)
74, am 257-258, psd (RC) 258-261, 290, S Com 824, 1145

2015 SESSION

HOUSE CONCURRENT RESOLUTIONS

HCR 1, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. (Notter, Hills 21; et al: Legislative Administration)
30, K (RC) 508-511

HCR 2, applying to Congress to hold a convention for amendments. (T. Smith, Hills 17; et al: Legislative Administration)
30, vac State-Federal Relations and Veterans Affairs 78-79, rem 207, LT rej 281, psd (RC) 281-283, 290, recon rej 363, not introduced in the Senate 1074

HCR 3, applying to Congress to call a convention of states under the United States Constitution. (Edelblut, Hills 38; et al: Legislative Administration)
56, vac State-Federal Relations and Veterans Affairs 78-79, rem 207, LT 285-286, rem rej 454, died on the table 1141

HCR 4, urging Congress to adopt a policy ending the use of a backward American Flag on military uniforms. (Baldasaro, Rock 5; et al: State-Federal Relations and Veterans Affairs)
56, psd 219, 289, not introduced in the Senate 1074

HCR 5, calling for an article V convention for the purpose of considering a countermand amendment to the United States Constitution. (Ulery, Hills 37: Legislative Administration)
63, vac State-Federal Relations and Veterans Affairs 79, K 219

HCR 6, petitioning Congress for an Article V amendment convention. (Ulery, Hills 37: Legislative Administration)
63, vac State-Federal Relations and Veterans Affairs 79, K 220

HCR 7, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. (Itse, Rock 10; et al: Legislative Administration)
63, K (RC) 511-514

2015 SESSION

HOUSE JOINT RESOLUTIONS

HJR 1-FN, making restitution to Jeffrey Frost for inappropriate prosecution. (Ingbretson, Graf 15; et al: Legislative Administration)
68, K 175

HJR 2-A, making temporary appropriations for the expenses and encumbrances of the state of New Hampshire. (Kurk, Hills 2; et al)
rules suspension (RC) 1025-1027, intro & psd (RC) 1047-1050, S conc 1068, enr 1066 (Chapter 158)

2015 SESSION
HOUSE RESOLUTIONS

HR 1, adopting the rules of the 2014 session for the 2015-2016 biennium.
intro & adop 11

HR 2, recording House Sessions and the Permanent Journal.
intro & adop 11

HR 3, distribution of House publications.
intro & adop 11

HR 4, the Speaker employing personnel per RSA 17-E:5.
intro & adop 11

HR 5, legislative salary and mileage payments.
intro & adop 11

HR 6, recognizing February 26, 2015, as the 23rd Anniversary of the Khojaly Tragedy in Azerbaijan. (Tucker, Rock 23: Legislative Administration)
44, rem 94, LT 133, died on the table 1141

HR 7, directing the house of representatives to investigate whether grounds exist to impeach Judge Jacalyn Colburn for her decision in City of Nashua v. William M. Gardner, Secretary of State. (Itse, Rock 10; et al: Judiciary)
56, K 154

HR 8, commemorating the 50th anniversary of the Social Security Act of 1965. (Horrigan, Straf 6; et al: Legislative Administration)
56, rem 94, K 133

HR 9, to express support for the federal return of public lands to the western states, and to urge the United States Congress to engage in good faith communication and cooperation to coordinate the return of title to the western states. (Groen, Straf 10: Legislative Administration)
63, K 154

HR 10, urging the department of justice to reexamine the conviction of Chad Evans. (Abramson, Rock 20; et al: Judiciary)
73, rem 294, IP 534-535

HR 11, requesting the National Oceanic and Atmospheric Administration and Congress to relax rules on Atlantic states recreational fishing. (Abramson, Rock 20; et al: State-Federal Relations and Veterans Affairs)
73, am 220, adop 289

HR 12, affirming revenue estimates for fiscal years 2015, 2016 and 2017.
92, adop 133-134, LT 134, rem 999, am (2 RCs) & LT 1000-1006, died on the table 1141

HR 13, honoring the contributions of New Hampshire's youth in government.
intro & adop 543

HR 14, honoring the victims of Charleston, South Carolina
intro & adop 1025

HR 15, memorializing State Representative Robbie Parsons of Milton.
intro & adop 1077

2015 SESSION
SENATE BILLS

SB 5, relative to transfers into the revenue stabilization reserve account. (Finance)
290, K 761

SB 7, adding duties to the joint health care reform oversight committee. (Health, Human Services and Elderly Affairs)
554, ret 1144

SB 8-FN-L, relative to appropriations for nursing homes. (Finance)
539, am & psd 815-816, 822, S nonconc, conf 836, conferee change 993, 995, no report filed 1141

SB 9-FN-A-L, relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, and reducing the rates of the business profits tax and the business enterprise tax.
suspend rules & appeal ruling of the Chair (2 RCs) 1087-1093, intro & psd (5 RCs) 1093-1113, 1114, recon rej 1113, protest 1113-1114, enr 1118 (Chapter 274)

SB 11, recodifying the Uniform Interstate Family Support Act. (Children and Family Law)
290, psd 722, 753, enr am 784, enr 827 (Chapter 75)

SB 12, relative to jurisdiction over surrogacy cases under RSA 168-B. (Judiciary)
538, psd 734, 753, enr 784 (Chapter 17)

SB 13, relative to the disposition of dedicated funds. (Finance)
290, rem 758, K 782

SB 14, making technical corrections to the laws relative to the judicial council and repealing a limitation on compensation of counsel for indigent defendants. (Judiciary)
290, am 735, psd 753, S conc 785, enr am 824, enr 828 (Chapter 114)

SB 16, relative to the requirement for observers of water skiers. (Resources, Recreation and Development)
290, psd 751, 753, enr 784 (Chapter 26)

SB 19, relative to the payment of restitution among and between co-defendants. (Judiciary)
540, K 761

SB 20-FN-L, establishing a commission on historic burial grounds and cemeteries. (Municipal and County Government)
290, am 735-736, psd 753, S conc 785, enr am 824, enr 828 (Chapter 115)

SB 21, relative to the board of mental health practice. (Executive Departments and Administration)
290, am 725, psd 753, S conc 825, enr 827 (Chapter 76)

SB 22, relative to certain changes in the law governing the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)
539, rem 722, am 752, psd 753, S conc 828, enr 991 (Chapter 143)

SB 23, allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions. (Health, Human Services and Elderly Affairs)
539, am 728, psd 753, S conc 828, enr 991 (Chapter 144)

SB 29-FN, relative to fines for motor vehicle offenses. (Transportation)
554, am & Criminal Justice 797-798, am 939, psd 990, S conc 994, enr am 1018, enr 1027 (Chapter 202)

SB 30-FN-L, permitting counties with unincorporated areas to establish tax increment financing districts. (Municipal and County Government)
554, vac Finance 721, am & psd (RC) 816-821, 822, recon rej 821, S conc & enr 825 (Chapter 47)

SB 31, relative to the controlled drug prescription health and safety program. (Health, Human Services and Elderly Affairs)
554, psd 791, 822, enr 827 (Chapter 48)

SB 32, relative to state agency budgetary reporting requirements. (Finance)
539, am 848-849, psd 990, S nonconc, conf 995, conferee change 1018, rep adop 1028, 1068, enr 1074 (Chapter 245)

SB 33, relative to continuing education requirements for mental health practitioners on suicide prevention. (Executive Departments and Administration)
290, psd 726, 753, enr 784 (Chapter 27)

SB 35, relative to the definition of wine-fortified. (Commerce and Consumer Affairs)
291, psd 836, 989, enr 1021 (Chapter 173)

SB 38, establishing a commission to develop a land conservation plan. (Resources, Recreation and Development)
291, am 738, psd 753, S conc 828, enr am 829, enr 1017 (Chapter 174)

SB 39, relative to recounts on questions. (Election Law)
291, am & psd (RC) 939-942, 990, S nonconc 993

SB 40-FN, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses. (Criminal Justice and Public Safety)
539, am & psd (2 RCs) 802-808, 822, S nonconc, conf 836, no report filed 1141

SB 41, establishing a commission to study government immunity from suit and accountability by its citizens. (Judiciary)
291, am 852-853, psd 990, S conc 994, enr 1021 (Chapter 175)

SB 43, relative to the care and custody of female prisoners. (Executive Departments and Administration)
291, psd 726, 753, enr 784 (Chapter 18)

SB 44, relative to nonpublic sessions of public bodies under the right-to-know law. (Judiciary)
291, psd 735, 753, enr 784 (Chapter 19)

SB 45, relative to opioid treatment agreements under workers' compensation law. (Labor, Industrial and Rehabilitative Services)
540, ret 1144

SB 46, relative to public safety radio interoperability. (Science, Technology and Energy)
291, Executive Departments and Administration 751-752, am 790, psd 822, S conc & enr am 829, enr 1017 (Chapter 176)

SB 47, repealing the payment of subminimum wages to persons with disabilities. (Labor, Industrial and Rehabilitative Services)
538, psd 750, 753, enr 784 (Chapter 40)

SB 48, relative to the New Hampshire commission on Native American affairs. (Executive Departments and Administration)
554, psd 745, 753, enr 784 (Chapter 28)

SB 49, relative to clinical eligibility determination for long-term care. (Health, Human Services and Elderly Affairs)
539, am 728, psd 753, S conc 828, enr 991 (Chapter 145)

SB 50, relative to the content of a mortgage foreclosure notice. (Commerce and Consumer Affairs)
538, am 836-837, psd 989, S conc 994, enr 1021 (Chapter 177)

SB 52, establishing a commission to study the issue of residential tenancies in foreclosed properties. (Commerce and Consumer Affairs)
539, K 856

SB 53, repealing the interagency coordinating council for women offenders and transferring certain members and duties to the interbranch criminal and juvenile justice council. (Judiciary)
538, vac Criminal Justice and Public Safety 542, am 758-759, psd 783, S conc 829, enr 991 (Chapter 146)

SB 54, relative to property tax payments by therapeutic cannabis alternative treatment centers. (Municipal and County Government)
291, psd 736, 753, enr 784 (Chapter 29)

SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions. (Commerce and Consumer Affairs)
539, am & psd (RC) 857-859, 990, S conc 994, enr am 1018, enr 1027 (Chapter 187)

SB 56, establishing a commission to study oversight, regulation, and reporting of patient safety and health care quality issues. (Health, Human Services and Elderly Affairs)
291, am 729-730, psd 753, S conc & enr am 828, enr 991 (Chapter 147)

SB 57, relative to qualifications and duties of condominium association board members. (Commerce and Consumer Affairs)
554, am 837-843, psd 989, nonconc S am, conf 996, conferee change 1018, no report filed 1141

SB 58, relative to the United States flag worn as a patch. (Executive Departments and Administration)
554, ret 1144

SB 60, establishing a commission to investigate implementation of decoupling for New Hampshire utilities. (Science, Technology and Energy)
291, am 751, psd 753, S conc & enr am 828, enr 991 (Chapter 148)

SB 62, relative to drivers' licenses for persons without a permanent address. (Transportation)
538, am 798, psd 822, S conc 828, enr 991 (Chapter 149)

SB 63, relative to membership of the board of directors for the New Hampshire rail transit authority. (Transportation)
291, rem 788, rcmt 821, am 988-989, psd 990, S conc 994, enr 1021 (Chapter 178)

SB 64, relative to rulemaking authority and enforcement concerning prices for filling certain prescriptions. (Health, Human Services and Elderly Affairs)
554, vac Commerce and Consumer Affairs 718, ret 1144

SB 65, adding a judicial branch employee member to the deferred compensation commission. (Executive Departments and Administration)
291, psd 726, 753, enr 784 (Chapter 30)

SB 67, establishing a commission to study opioid misuse in New Hampshire. (Health, Human Services and Elderly Affairs)
540, ret 1144

SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students. (Education)
291, K (RC) 740-742, recon rej 783

SB 70, relative to the processing of lobster tails. (Fish and Game and Marine Resources)
291, am 727-728, psd 753, S conc 785, enr 825 (Chapter 101)

SB 71, relative to the administration of glucagon injections for children in schools. (Education)
291, psd 722, 753, enr 784 (Chapter 20)

SB 72, relative to confidentiality of police personnel files and establishing a commission to study the use of police personnel files as they relate to the Laurie List. (Criminal Justice and Public Safety)
554, am 759-760, psd 783, S conc 829, enr 991 (Chapter 150)

SB 73, relative to documentation of age to purchase alcoholic beverages and tobacco products. (Commerce and Consumer Affairs)
291, psd 843, 989, enr 1021 (Chapter 179)

SB 74, establishing a committee to study reducing the cost of county government. (Municipal and County Government)
291, K 751

SB 75, relative to unfair trade practices targeting veterans. (Commerce and Consumer Affairs)
539, ret 1144

SB 77-L, authorizing the creation of a special purpose village district within the town of Danbury. (Municipal and County Government)
539, K 853

SB 78, relative to original and youth operators' licenses. (Transportation)
291, psd 763, 783, enr 825 (Chapter 113)

SB 80, relative to the state trails plan and establishing a committee on rail trails. (Resources, Recreation and Development)
291, am 738-739, psd 753, S conc 785, enr am 824, enr 828 (Chapter 116)

SB 84, relative to the definition of "telemedicine." (Health, Human Services and Elderly Affairs)
539, am 791-793, psd 822, S nonconc, conf 836, rep adop 1028-1030, 1068, enr 1074 (Chapter 246)

SB 86, relative to state procurement of goods and services. (Executive Departments and Administration)
539, am 790, psd 822, S conc & enr am 829, enr 1017 (Chapter 185)

SB 88, establishing a committee to study public-private partnerships for intermodal transportation. (Public Works and Highways)
291, psd 855, 990, enr 1021 (Chapter 184)

SB 90, relative to the judicial branch budget. (Finance)
291, psd 761, 783, enr 825 (Chapter 102)

SB 91, relative to appointment of counsel for indigent defendants. (Judiciary)
291, psd 735, 753, enr 784 (Chapter 21)

SB 92, establishing a committee to study public access to political campaign information. (Election Law)
539, am 760-761, psd 783, S conc 829, enr 991 (Chapter 151)

SB 93-FN-A, relative to the definition of beverage. (Commerce and Consumer Affairs)
291, am 844, psd 990, S nonconc, conf 995, rep adop 1016, 1018, enr 1021 (Chapter 156)

SB 94, relative to documents filed electronically with a court under oath. (Judiciary)
291, psd 735, 753, enr 784 (Chapter 22)

SB 96, establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards. (Executive Departments and Administration)
291, psd 790, 822, enr 827 (Chapter 77)

SB 97, authorizing municipalities to adopt ordinances to regulate stormwater to comply with federal permit requirements. (Municipal and County Government)
291, am 736-737, psd 753, S nonconc, conf 836, rep adop 1030-1031, 1068, enr 1074 (Chapter 247)

SB 98, relative to third party review required by the planning board. (Municipal and County Government)
291, am 737, psd 753, S conc 785, enr 825 (Chapter 126)

SB 99, establishing a committee to study allowing the sampling of beer or wine at farmer's markets. (Commerce and Consumer Affairs)
291, am 844-845, psd 990, S nonconc, conf 996, conferee change 1018, rep adop 1031, 1068, enr am 1072, enr 1074 (Chapter 267)

SB 101, prohibiting the state from requiring implementation of common core standards. (Education)
291, psd (RC) 742-744, 753, enr 784, S veto sustained 1114

SB 103, relative to guardian ad litem reports and relative to the definition of incapacity for purposes of filing a guardianship petition. (Children and Family Law)
538, psd 722, 753, enr 784 (Chapter 23)

SB 104-FN, relative to licensure of research organizations by the pharmacy board. (Executive Departments and Administration)
540, Ways and Means 726, psd 855, 990, enr am 1019, enr 1027 (Chapter 203)

SB 105, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act. (Commerce and Consumer Affairs)
540, K (RC) 799-802

SB 106-FN, restricting the sale or possession of synthetic drugs. (Criminal Justice and Public Safety)
291, am & psd (RC) 808-811, 822, S conc 994, enr am 1019, enr 1027 (Chapter 204)

SB 108-FN, relative to health care associated infections. (Health, Human Services and Elderly Affairs)
539, am 730-733, psd 753, S nonconc, conf 995, no report filed 1141

SB 110-FN, establishing the administrative supervision act. (Commerce and Consumer Affairs)
538, ret 1144

SB 111, making changes to the life and health insurance guaranty association. (Commerce and Consumer Affairs)
554, psd 845, 990, enr am 1019, enr 1027 (Chapter 205)

SB 112, requiring the Medicaid managed care program to cover telemedicine services. (Health, Human Services and Elderly Affairs)
540, am & Finance 793-794, psd 849-850, 990, S conc 994, enr am 1019, enr 1027 (Chapter 206)

SB 113-FN-A-L, relative to video lottery and table gaming. (Ways and Means)
539, K (3 RCs) 770-781, recon rej 781

SB 114-FN, enabling a driver's license applicant to request that his or her license indicate that he or she has a medically recognized disorder. (Transportation)
554, psd 821, 822, enr 827 (Chapter 78)

SB 115-FN, relative to the resale of condominium and subdivision time shares. (Commerce and Consumer Affairs)
538, ret 1144

SB 116-FN, repealing the license requirement for carrying a concealed pistol or revolver. (Criminal Justice and Public Safety)
291, am & psd (RC) 764-767, 783, S conc 994, enr am 1019, enr 1027, S veto sustained 1114

SB 117-FN-L, relative to energy security and diversity. (Science, Technology and Energy)
539, K 739

SB 119, relative to the regulation of consumer guaranty contracts and debt cancellation or debt suspension agreements by the insurance department. (Commerce and Consumer Affairs)
539, am 845-847, psd 990, S conc 994, enr am 1019, enr 1027 (Chapter 207)

SB 120-FN, relative to applicants for secondary game operator licenses. (Ways and Means)
291, am 856, psd 990, S nonconc, conf 995, rep adop 1031, 1068, enr 1074 (Chapter 248)

SB 124-FN, relative to filing felonies first in the superior court. (Judiciary)
539, am, LT rej & psd (RC) 968-972, 990, S conc 1018, enr am 1071, enr 1074 (Chapter 249)

SB 125-FN, relative to certification and licensure for mold assessment or remediation services. (Executive Departments and Administration)
540, rcmt 745-746, LT (RC) 811-815, rem, am & psd (RC) 934-938, 990, S conc 994, enr am 1019, enr 1027 (Chapter 208)

SB 132-FN, relative to dredging projects conducted by the Pease development authority division of ports and harbors. (Public Works and Highways)
540, psd 855, 990, enr am 1019, enr 1027 (Chapter 209)

SB 133-FN, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department. (Health, Human Services and Elderly Affairs)
539, am & Labor Industrial and Rehabilitative Services 733-734, am, LT rej & psd (4 RCs) 973-987, 990, S conc 994, enr 1027 (Chapter 210)

SB 134-FN, relative to the escheat of United States savings bonds. (Ways and Means)
539, am 763, psd 783, S conc 825, enr am 827, enr 991 (Chapter 152)

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554, am 794-797, psd 822, S nonconc, conf 995, rep adop (RC) 1031-1035, 1068, enr 1074 (Chapter 250)

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555, am 788, psd 821, S conc 828, enr 991 (Chapter 154)

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539, Ways and Means 763, psd 856, 990, enr 1027 (Chapter 212)

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539, am 726, psd 753, S conc & enr am 825, enr 828 (Chapter 117)

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539, psd 847-848, 990, enr 1027 (Chapter 213)

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291, psd 722, 753, enr 784 (Chapter 24)

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538, psd 739, 753, enr 784 (Chapter 32)

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555, am 851-852, psd 990, S nonconc, conf 996, conferee change 1020, rep adop (RC) 1035-1037, 1068, enr 1074, S veto sustained 1114

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541, am 762-763, psd 783, S nonconc, conf 995, rep adop 1037-1038, 1068, enr am 1072, enr 1074 (Chapter 268)

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538, am 759, psd 783, S conc 825, enr am 827, enr 991 (Chapter 155)

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538, psd 763, 753, enr 784 (Chapter 33)

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291, psd 739, 753, enr 784 (Chapter 34)

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538, ret 1144

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555, am & psd (RC) 942-951, 990, debate printed 951-955, S conc 994, enr am 1021, enr 1071, S veto sustained 1114

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539, am & LT (RC) 747-750, died on the table 1141

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292, psd 728, 753, enr 784 (Chapter 35)

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538, psd 728, 753, enr 784 (Chapter 36)

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541, am & Finance 762, ref declined 769, psd 783, S conc 994, enr 1027 (Chapter 214)

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555, am 860-861, psd 990, enr am 1074, enr 1075 (Chapter 272)

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555, psd 848, 990, enr 1027 (Chapter 215)

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555, am & Finance 768, psd (RC) 964-968, 990, recon rej 987, S conc 994, enr am 1021, enr 1071 (Chapter 252)

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555, am & Finance 747, am 968, psd 990, S conc 994, enr am 1021, enr 1071 (Chapter 253)

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538, psd 723, 753, enr am 757, enr 824 (Chapter 45)

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541, psd 745, 753, enr 784 (Chapter 41)

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539, K 734

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538, vac Executive Departments and Administration 542, am 791, psd 822, S conc & enr am 829, enr 1017 (Chapter 180)

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292, psd 752, 753, enr 784 (Chapter 37)

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538, psd 797, 822, enr 827 (Chapter 79)

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538, am 781-782, psd 783, S conc 994, enr 1027 (Chapter 216)

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555, psd 989, 990, enr 1021 (Chapter 181)

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555, ret 1144

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555, K 848

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292, K (RC) 861-864

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539, ret 1144

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555, SO, am & psd (RC) 955-960, 990, debate printed 960-964, S conc 994, enr am 1021, enr 1071 (Chapter 221)

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292, psd 728, 753, enr 784 (Chapter 38)

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555, am & Finance 768, ret 1144

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538, am 769, psd 783, S conc 825, enr 827 (Chapter 80)

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292, psd 763, 783, enr 824 (Chapter 46)

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555, psd 856, 990, enr am 1021, enr 1071 (Chapter 255)

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555, psd 798, 822, enr 827 (Chapter 81)

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555, am 853-854, psd 990, S nonconc, conf 996, rep adop 1038, 1068, enr 1074 (Chapter 256)

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538, psd 768, 783, enr 825 (Chapter 118)

SB 238-FN, relative to the workers' compensation appeals board. (Labor, Industrial and Rehabilitative Services)
555, ret 1144

SB 240, protecting certified public accountants from prosecution or penalty for providing services to alternative treatment centers. (Judiciary)
555, LT & conflict of interest declared 973, died on the table 1141

SB 241, relative to authorization for the town of Rindge to make capital expenditures from a trust fund. (Municipal and County Government)
541, psd 854, 990, enr 1027 (Chapter 217)

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555, am 854-855, psd 990, S conc 994, enr 1021 (Chapter 182)

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555, rem 758, LT rej & psd 782, 783, enr 825 (Chapter 105)

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555, am 788, psd 821, S conc & enr am 828, enr 991 (Chapter 127)

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555, K 797

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541, psd 769, 783, enr 825 (Chapter 106)

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555, psd 761, 783, enr 825 (Chapter 107)

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541, psd 769, 783, enr 825 (Chapter 108)

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541, am 848, psd 990, S nonconc, conf 996, rep adop 1038, 1068, enr 1071 (Chapter 257)

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541, am 987-988, psd 990, S nonconc, conf 996, conferee change 1018, no report filed 1141

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540, psd 761, 783, enr 825 (Chapter 109)

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540, psd 727, 753, enr 784 (Chapter 39)

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540, am 556-557, psd 718, S conc & enr 719 (Chapter 1)

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541, am & Finance 723-725, ret 1144

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555, am 864-934, psd 990, S nonconc, conf 996, rep adop 1039-1041, 1068, enr am 1074, enr 1075 (Chapter 273)

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555, adop 855, 990, enr am 997

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555, LT 988, died on the table 1141

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46, K (RC) 221-223

CACR 2, relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. (Steven Smith, Sull 11; et al: Ways and Means)
46, ret 1144

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47, K 234-235

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541, ret 1144

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53, K 95-96

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53, rem 94, K (RC) 125-128

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53, K (RC) 248-251

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56, SO rej & K 432

CACR 11, relating to voting at elections. Providing that the general court may authorize all voters to choose to vote by absentee ballot. (Rogers, Merr 28: Election Law)
63, K 148

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HB 577, establishing a children's savings account program, and relative to the bonding authority of the city of Dover.
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HB 578, relative to state board of education compliance with unfunded federal education mandates.
Ought to Pass, Yeas 204; Nays 136 423-425
HB 585, relative to fines for violation of alcoholic beverage laws.
Ought to Pass Amended, Yeas 223; Nays 133 160-162
HB 591, relative to the road toll rate and eliminating a capital appropriation for highway projects.
Inexpedient to Legislate, Yeas 243; Nays 108 177-180
HB 593, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.
Inexpedient to Legislate, Yeas 148; Nays 188 461-464
HB 593, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.
Ought to Pass, Yeas 208; Nays 132 464-466
HB 600, relative to paid sick leave for employees.
Inexpedient to Legislate, Yeas 219; Nays 122 500-503
HB 603, relative to student exemption from the statewide assessment.
Veto Override, Yeas 211; Nays 141 1115-1117
HB 606, relative to costs for public records filed electronically.
Ought to Pass Amended, Yeas 321; Nays 18 481-483
HB 609, relative to hydraulic fracturing.
Inexpedient to Legislate, Yeas 254; Nays 81 429-431
HB 615, relative to funding for state energy efficiency programs.
Inexpedient to Legislate, Yeas 210; Nays 145 186-188
HB 618, relative to penalties for the possession of marijuana and relative to the cultivation of marijuana plants.
Ought to Pass Amended, Yeas 297; Nays 67 397-399
HB 627, relative to registering to vote.
Inexpedient to Legislate, Yeas 275; Nays 64 275-277
HB 650, requiring background checks for commercial firearms sales.
Inexpedient to Legislate, Yeas 236; Nays 124 401-403
HB 658, prohibiting collective bargaining agreements that require employees to join a labor union.
Ought to Pass, Yeas 149; Nays 146 447-449
HB 662, relative to property taxes paid by chartered public schools leasing property.
Adopt CofC Report, Yeas 275; Nays 71 1061-1064
HB 665, relative to nomination papers.
Inexpedient to Legislate, Yeas 286; Nays 56 277-280
HB 669, requiring law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams.
Inexpedient to Legislate, Yeas 245; Nays 110 404-406
HB 670, relative to the rights of conscience for medical professionals.
Inexpedient to Legislate, Yeas 237; Nays 88 201-203
HB 673, establishing a sales and use tax.
Inexpedient to Legislate, Yeas 355; Nays 13 351-353
HB 677, prohibiting the use of public funds for abortion services.
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HB 681, increasing the marriage license fees.
Adopt Amendment, Yeas 170; Nays 199 354-357
HB 681, increasing the marriage license fees.
Ought to Pass, Yeas 223; Nays 146 357-359
HB 681, establishing a fine for persons convicted of domestic violence and increasing the marriage license fee.
Adopt CofC Report, Yeas 203; Nays 144 1064-1066
HB 684, establishing a state minimum hourly rate.
Inexpedient to Legislate, Yeas 198; Nays 145 489-491
HB 685, prohibiting a state agency, state employee, or political subdivision from enforcing any federal law regarding a firearm, firearm accessory, or ammunition.
Inexpedient to Legislate, Yeas 234; Nays 119 407-409
HB 689, relative to adoption of a default budget.
Ought to Pass Amended, Yeas 203; Nays 148 258-261
HCR 1, rescinding all requests by the New Hampshire legislature for a federal constitutional convention.
Inexpedient to Legislate, Yeas 262; Nays 75 509-511
HCR 2, applying to Congress to hold a convention for amendments.
Ought to Pass, Yeas 181; Nays 134 281-283
HCR 7, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire.
Inexpedient to Legislate, Yeas 217; Nays 108 511-514
HJR 2, making temporary appropriations for the expenses and encumbrances of the State of New Hampshire.
Rules Suspension, Yeas 279; Nays 71 1025-1027
Adopt Amendment, Yeas 150; Nays 208 1048-1050
HR 12, affirming revenue estimates for fiscal years 2015, 2016, and 2017.
Adopt Amendment, Yeas 193; Nays 137 1000-1003
HR 12, affirming revenue estimates for fiscal years 2015, 2016, and 2017.
Adopt Amendment, Yeas 133; Nays 197 1003-1006
SB 9, relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, reducing the rates of the business profit
Adopt Amendment, Yeas 94; Nays 264 1098-1100
SB 9, relative to salary increases for state employees and making appropriations therefor, establishing a legislative oversight committee on employee relations, relative to the purpose of a capital budget appropriation, reducing the rates of the business profit
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Adopt Amendment, Yeas 65; Nays 289 1105-1107
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Adopt Amendment, Yeas 93; Nays 263 1108-1110
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Ought to Pass, Yeas 291; Nays 73 1110-1113
SB 30, permitting counties with unincorporated areas to establish tax increment financing districts.
Ought to Pass Amended, Yeas 293; Nays 57 818-821
SB 39, relative to recounts on questions.
Ought to Pass Amended, Yeas 206; Nays 149 940-942
SB 40, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses.
Adopt Amendment, Yeas 192; Nays 161 803-805
SB 40, including a viable fetus in the definition of "another" for the purposes of certain criminal offenses.
Ought to Pass Amended, Yeas 193; Nays 159 806-808
SB 55, allowing private employers to establish a policy granting a veterans' preference in employment decisions.
Ought to Pass Amended, Yeas 331; Nays 37 857-859

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SB 69, establishing a commission to study social impact bond funding for early childhood education for at-risk students.
Ought to Pass, Yeas 164; Nays 168 740-742
SB 101, prohibiting the state from requiring implementation of common core standards.
Ought to Pass, Yeas 202; Nays 138 742-744
SB 105, relative to child-resistant packaging for tobacco products and establishing a committee to study revising the indoor smoking act.
Inexpedient to Legislate, Yeas 210; Nays 143 799-802
SB 106, restricting the sale or possession of synthetic drugs.
Ought to Pass Amended, Yeas 233; Nays 120 809-811
SB 113, relative to video lottery and table gaming.
Adopt Amendment, Yeas 103; Nays 259 772-775
SB 113, relative to video lottery and table gaming.
Adopt Amendment, Yeas 87; Nays 279 775-778
SB 113, relative to video lottery and table gaming.
Ought to Pass, Yeas 156; Nays 208 778-780
SB 116, repealing the license requirement for carrying a concealed pistol or revolver.
Ought to Pass Amended, Yeas 212; Nays 150 765-767
SB 124, relative to filing felonies first in the superior court.
Ought to Pass Amended, Yeas 212; Nays 127 970-972
SB 125, relative to certification and licensure for mold assessment or remediation services.
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SB 125, relative to certification and licensure for mold assessment or remediation services.
Ought to Pass Amended, Yeas 230; Nays 128 936-938
SB 133, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department.
Adopt Amendment, Yeas 132; Nays 198 976-979
SB 133, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department.
Adopt Amendment, Yeas 231; Nays 100 980-982
SB 133, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department.
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SB 133, relative to certain health care data and relative to certain workers' compensation medical claim data collected by the insurance department.
Ought to Pass Amended, Yeas 264; Nays 67 984-987
SB 135, relative to lead poisoning in children.
Adopt CofC Report, Yeas 249; Nays 103 1032-1035
SB 169, relative to the use of electronic benefits transfer (EBT) cards.
Adopt CofC Report, Yeas 213; Nays 143 1035-1037
SB 179, relative to eligibility to vote.
Ought to Pass Amended, Yeas 211; Nays 145 948-951
SB 181, relative to registration fees for hunter education programs of the fish and game department.
Table, Yeas 188; Nays 158 748-750
SB 190, relative to payment of costs for career and technical education center programs and administration by the department of education.
Adopt Amendment, Yeas 164; Nays 175 965-968
SB 218, making spoofing an unfair and deceptive act under the consumer protection law.
Inexpedient to Legislate, Yeas 203; Nays 158 862-864
SB 221, relative to electric rate reduction financing.
Ought to Pass Amended, Yeas 308; Nays 43 958-960
SS HCR 1, establishing a joint task force for the response to the heroin and opioid epidemic in New Hampshire.
Adopt Amendment, Yeas 79; Nays 258 1135-1137
SS HCR 1, establishing a joint task force for the response to the heroin and opioid epidemic in New Hampshire.
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